

CHAPTER Ncr 730 PARKS AND RECREATION

PART Ncr 731 RULES RELATING TO ALL PARKS AND DEPARTMENT PROPERTIES

REVISION NOTE:

The Department of Natural and Cultural Resources (Ncr) was established under RSA 12-A:1 and the Department of Resources and Economic Development (DRED) abolished, pursuant to 2017, 156:15, effective 7-1-17. Some of the existing rules under DRED, identified by the prefix Res, were transferred to the prefix Ncr.

All filings prior to Document #14291, effective 6-25-25 can be found in the filing history for the Res 7300 rules.

CHAPTER Ncr 730 PARKS AND RECREATION

Statutory Authority: RSA 12-A:2-c, I, II, III and IV, RSA 215-A:3-b, I, RSA 215-C:3-a, I, and RSA 227-G:4, I.

PART Ncr 731 RULES RELATING TO ALL PARKS AND DEPARTMENT PROPERTIES

Ncr 731.01 Applicability.

(a) The provisions of Ncr 731 shall apply to all department of natural and cultural resources (department) properties, and subsequent properties and easements upon acquisition, and to all listed conservation or trail easement properties held by the department to the extent that these provisions apply to the rights granted to the state or the restrictions placed on the property.

(b) The provisions of this chapter that apply during the operating season shall also apply to all state parks and park areas accessible during the operating season regardless of whether the property is staffed, services are provided, or a fee is charged.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 731.02 Definitions.

(a) “Authorized department personnel” means the commissioner, the director of forests and lands, the director of parks and recreation, the deputy director or chief of staff, the department land agent, the bureau administrator, chief or deputy chief, the park, trails, or forest regional supervisor, the park, trails, or forest supervisor, the park or forest manager, the forest ranger, the forest technician, the forest patrol or forester, the ski patrol and ski lift attendants, and the Hampton Beach state park lifeguards and chief state park patrol authorized to make decisions on behalf of the department.

(b) “Beach recreation areas” means an area surrounding picnic, grassy, or sandy areas that is adjacent to an inland beach.

(c) “Bureau administrator” means the bureau of historic sites supervisor, the bureau of parks supervisor of park operations, the bureau of trails chief, the bureau of community recreation administrator, the forest management bureau administrator, the forest protection bureau chief, the land management bureau administrator, and the natural heritage bureau administrator, or any job title used to identify the specified positions herein.

(d) “Commissioner” means the commissioner of the department of natural and cultural resources.

(e) “Director” means the director of the division of forests and lands acting in accordance with the duties set forth in RSA 227-G:3, and the director of the division of parks and recreation acting in accordance with the duties set forth in RSA 216-A:2.

(f) “Motor vehicle” means “motor vehicle” as defined in RSA 259:60, I, namely “except where otherwise specified in this title, any self-propelled vehicle not operated exclusively on stationary tracks, including ski area vehicles.”

(g) “Operating hours” means the times when park and support facilities are open for public use.

(h) “Operating season” means a period of the year when park facilities are staffed, maintained, and open for public use and services are provided and, where applicable, a day-use fee, ski lift ticket charge, service charge, parking fee, or any other fee is generally collected or required.

(i) “Park or trails manager or forester” means the manager of a park, trails, forest, or recreation area of the department.

(j) “Public interest” means matters related to upholding the quiet enjoyment and guest experience of park visitors.

(k) “Regional supervisor” means the supervisor responsible for the management of multiple department properties, property interests, or personnel throughout a geographical region, including parks, trails, forests, and easements.

(l) “Service animal” means a dog that is individually trained to do work or perform tasks for people with disabilities as defined under the Americans with Disabilities Act (ADA) as amended, and including an animal which has been trained to perform typical search and rescue operations and is certified by a competent authority or holds a title from a competent authority or organization recognized by the office of the governor, department of safety, department of fish and game, or the federal emergency management agency or its successor, as defined in RSA 167-D:1 as amended.

(m) “State park” means those department properties or portions of properties under jurisdiction of the director of parks and recreation pursuant to RSA 216-A:1 and RSA 216-A:2.

(n) “Volunteer coordinator” means a person(s) designated to administer the adopt-a-state park and volunteer programs, and oversee department volunteers and friends groups, including but not limited to volunteers under RSA 216-A:3-h.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 731.03 Authority of Department Personnel. Persons shall obey all requests made by authorized department personnel in matters of public interest, public health and safety, or resources protection. In this chapter, “public interest” includes matters related to upholding the quiet enjoyment and guest experience of park visitors.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 731.04 Violations.

(a) Any person violating any rule contained in this chapter or Ncr 850 shall be guilty of a violation and be:

(1) Evicted from the property;

(2) Responsible for the restoration of any defaced or destroyed historic property or resource pursuant to RSA 227-C:17, II; and

- (3) Subject to an administrative fine pursuant to Ncr 780.
- (b) Serious offenses shall be charged as a misdemeanor.
- (c) A “serious offense” means an offense in which a person has:
- (1) Acted in a reckless manner pursuant to Ncr 731.30 or Ncr 734.08;
 - (2) Caused serious environmental or property damage; or
 - (3) Committed a third offense.

(d) Any person or organization evicted from the property pursuant to this section, shall not receive a refund of department-related daily fees, including but not limited to, admission, parking, permit, or enterprise function fee, except for a portion of camping rental fees as allowed by RSA 216-I:6.

(e) Any person or organization evicted from the property pursuant to this section, shall not receive a refund of the unused portion of a season pass or seasonal or multi-year special use permit pending an adjudicative proceeding pursuant to RSA 541-A:30, III.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 731.05 Protection of Natural Features and Property. No person shall remove, damage, deface, disturb, or alter any structure, plant, marine, or freshwater aquatic life with the exception of lawful fishing, natural or geological feature, or property on department properties. No person shall introduce, abandon, or leave any plant, aquatic, or terrestrial life, or other foreign object or item on department properties without the prior written permission of the director.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 731.06 Protection of Historic Resources.

(a) No person shall remove or damage any historic property or historic and cultural resource on department properties without the prior written permission of the director and in cooperation with the department of cultural resources, division of historical resources, pursuant to RSA 227-C:9.

(b) Removal of or damage to any historic property or historic and cultural resource shall be penalized pursuant to RSA 227-C:17, II and charged as a violation under Ncr 731.04.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 731.07 Restrictions in Public Use.

(a) Department properties shall be accessible for use unless closed or restricted to public access by posting or by public notification or restricted under the provisions in this chapter or by easement or deed.

(b) Department properties, or portions of a property, shall be closed or restricted for public access by posting or by public notification by authorized department personnel if:

- (1) An external subdivision of government requests the department to close a specific department property at a time and for causes listed in (2)-(6) below which the department deems reasonable;

- (2) There is a need to reduce vandalism;
- (3) It is necessary for public health and safety;
- (4) It is necessary to protect the natural resources, physical improvements, or other features and resources of a department property;
- (5) There is a restriction pursuant to a deed, easement, trail use rules, property, or trail management plan or where such plans are developed through a public involvement process; or
- (6) The quiet enjoyment of the recreational use of the property by other users or abutting landowners is being disturbed.

(c) Persons shall not enter department properties or portions of department properties that are closed or restricted to public access.

(d) No person shall conduct activities that will disturb other visitors' quiet enjoyment of the department property at any time, including but not limited to use of foul language.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 731.08 Animals.

(a) For purposes of this section, "animal" means any domestic animal kept for pleasure, comfort, or both rather than utility, including but not limited to dogs and cats, and animals traditionally associated with agriculture such as cattle, sheep, goats, llamas, alpacas, or swine, and wildlife raised in captivity, but excluding equines and animals used for utility covered in Ncr 731.09.

(b) Service animals that are actively working, including animals used for detection and search and rescue training and operations, shall be exempt from all prohibitions in this section unless stated otherwise.

(c) Animals shall be permitted on a department property unless temporarily prohibited or restricted to public use by posting under Ncr 731.07, or prohibited or restricted to animals under:

- (1) Ncr 731.08(d), where animals shall be permitted only in certain areas during the operating season;
- (2) Ncr 731.08(e), where animals shall be prohibited in certain areas during the operating season;
- (3) Ncr 731.08(f), where animals shall be permitted where normally prohibited under (d) and (e) after seasonal property closings and prior to seasonal property openings, except for certain restrictions at Hampton Beach state park; or
- (4) Ncr 731.08(g), where animals shall be prohibited year-round.

(d) In accordance with (e) and (g) herein, during the operating season animals shall be permitted on department properties except at department properties listed below where animals shall be permitted only in the following areas:

- (1) In all department campgrounds from April 1 through November 1;
- (2) In Bear Brook state park, at the campground and hiking trails only;

- (3) In Crawford Notch state park, at the campground, park hiking trails, and the designated dog walk area at the Willey site only;
 - (4) In Franconia Notch state park, at the designated dog walk area and on hiking trails only, but not ski trails;
 - (5) In Greenfield state park, at the campground and on hiking trails only;
 - (6) In Moose Brook state park, at the campground and on hiking trails only;
 - (7) In Mount Washington state park, at designated areas only;
 - (8) In Umbagog state park, at base camp and designated remote campsites only; and
 - (9) In Wellington state park, at the hiker parking area and trails on the west side of West Shore Road only.
- (e) In accordance with (d) and (g) herein, during the operating season where animals are otherwise permitted, animals shall be prohibited in the following areas:
- (1) At state park coastal beaches, including Rye Harbor also known as “Ragged Neck;”
 - (2) At state park freshwater beaches, beach recreation areas, and designated swim areas;
 - (3) At established state park picnic shelters, picnic areas, pavilions, and group use areas;
 - (4) In the camper cabins, lodge houses, and lodge rooms at Coleman state park;
 - (5) In the camper cabin at Deer Mountain campground;
 - (6) In Echo Lake state park, at the beach, picnic area, or on the lake perimeter hiking trail;
 - (7) At Ellacoya state park;
 - (8) At Fort Constitution historic site;
 - (9) At Fort Stark historic site;
 - (10) In the camper cabins at Jericho Mountain state park;
 - (11) In the yurts at Milan Hill state park;
 - (12) In Monadnock and Gilson Pond campgrounds;
 - (13) In Mount Sunapee state park, at the beach, and at the main park and ski area, during the annual arts and crafts festival;
 - (14) In Pawtuckaway state park, at the beach and at the campground;
 - (15) In White Lake state park, at the beach and at the campground, picnic areas, beaches, and near park facilities.
- (f) After seasonal property closings and prior to seasonal property openings, animals shall be permitted on department properties unless otherwise posted or prohibited year-round under Ncr 731.08 (g), except:
- (1) In Hampton Beach state park along Ocean Boulevard and at Hampton Beach South, Jenness state beach, North Beach, North Hampton state beach, Rye Harbor/Ragged Neck state

park, and Wallis Sands state beach animals shall be permitted only from October 1 through April 30. The provisions of Ncr 731.08(k) through (m) shall remain in full force; and

(2) The department shall prohibit animals in Hampton Beach state park where animals are permitted when the department determines there is a lack of compliance to this section by animal owners or the department determines it is necessary under Ncr 731.07.

(g) Animals shall be prohibited year-round on the following department properties:

(1) At Monadnock state park;

(2) At Odiorne Point state park;

(3) At Ossipee Lake natural area; and

(4) At Rhododendron state park, except at the parking area and the section of Rhododendron loop which is not posted as prohibited which provides trail access to and on Little Monadnock Mountain trail.

(h) Rules related to animals at all New Hampshire fish and game department access areas operated as state boat launches within department properties, to include but limited to, Bear Brook state park, Wellington state park, Greenfield state park, Bedell Bridge state park, Sky Pond state forest and Pawtuckaway state park shall be in accordance with Fis 1603.01.

(i) Dogs used for hunting or search and rescue shall be permitted on department properties off leash and under the control of their handlers in accordance with RSA 466:30-a, during hunting season or while active in search and rescue training or operations unless animals are prohibited year-round under Ncr 731.08 (g), search and rescue operations excepted. Dogs used for hunting shall be on a not greater than 6-foot length leash in areas where the public congregates, such as parking and trailhead areas, picnic areas, and while on established hiking trails. While on department properties, dogs in training for hunting shall be subject to the provisions related to such activity under RSA 207:12-a and Fis 902.04.

(j) Except for (g) and (h) above, in remote areas dogs shall be permitted off leash and under the control of their handlers in accordance with RSA 466:30-a provided that the dog is not or does not become a menace, a nuisance, or vicious as defined in RSA 466:31, under which the owner or handler shall restrain, leash, and remove the dog from the property. For purposes of this section, "remote area" means those areas and trails where and during a time when the dog owner or handler and the dog will not come in contact with other users. The dog owner or handler shall leash the dog when other users are present.

(k) Sled dog teams shall be permitted on department property roadways, parking areas, and multi-use trails when posted as an allowable use.

(l) Except for (h) above, every animal, including service animals unless required to be off-leash to perform the service required, shall be on a not greater than 6-foot length standard or retractable leash or lead, under the control of their handlers, and shall not be left unattended at any time or place, including in any campsite, vehicle, camper, recreational vehicle, carrier, or enclosure at any time while on department properties.

(m) Animal owners, including owners of service animals, shall clean up and remove offsite any waste eliminated by their animal(s) from public traffic areas, including all trails, multi-use trails, walkways, sidewalks, play areas, play fields, lawns, campgrounds, beaches, and parking lots.

(n) If an animal, including a service animal, becomes objectionable to other patrons or other animals, or causes or acts in a manner that might cause or contribute to damage or hazard to patrons, property, or park resources, or is a dog considered to be a menace, nuisance, or vicious in accordance with RSA 466:31,

as determined by the authorized department personnel, the owner of the animal shall immediately remove the animal from the department property at the request of the authorized department personnel.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 731.09 Equine and Other Animals Used for Utility.

(a) This section shall apply to equine and other animals used for utility such as riding, driving, or transportation of persons, property, or goods, and including but not limited to animals traditionally associated with utility such as equines, cattle, goats, and llamas, but excluding animals kept for pleasure or comfort covered in Ncr 731.08.

(b) Service animals, as defined in Ncr 731.02, shall be exempt from the prohibitions in this section unless stated otherwise.

(c) The use of equines or other utility animals shall be permitted on all roads and other established trails, unless prohibited or restricted in certain areas as identified under (d) through (g) herein, or unless closed or restricted to public use by posting under Ncr 731.07.

(d) In accordance with (c) above, equines and other utility animals shall be prohibited within or upon the following areas where the public congregates or where there is the need to protect developed or improved facilities or natural resources, unless permission has been granted by special use permit pursuant to Ncr 740 or by volunteer agreement pursuant to Ncr 750, or by a property management plan, or by posting:

- (1) Lawns and fields maintained by regular mowing and associated with a developed recreation area;
- (2) Picnic areas;
- (3) Pavilions and group use areas;
- (4) Playgrounds, play areas, and athletic fields;
- (5) Areas around bathhouses and toilet buildings;
- (6) Areas around park stores;
- (7) Campgrounds;
- (8) Geologic features, such as but not limited to exposed rockface and glacial erratics; and
- (9) Beaches, except for (e) below at the location and during the dates specified.

(e) For coastal beaches after seasonal property closings and prior to seasonal park openings, equines shall be permitted at Hampton Beach, from Hampton Beach South to Boar's Head, from October 1 through April 30, and the parking of animal trailers and vehicles towing animal trailers shall be permitted at the Hampton Beach South parking lot only.

(f) Equines and other utility animals shall be prohibited year-round in the following department properties, unless permission has been granted by special use permit pursuant to Ncr 740 or volunteer agreement pursuant to Ncr 750, or unless allowed in certain areas by posting:

- (1) At all state historic sites under the jurisdiction of the department's bureau of historic sites;

- (2) At Connecticut Lakes Headwaters Tract, except as permitted in accordance with the public recreation management plan;
- (3) At the Cotton Valley Rail Trail;
- (3) At Crawford Notch state park;
- (4) At Echo Lake state park;
- (5) At Franconia Notch state park;
- (6) At Hampton Beach state park on the cement access path;
- (7) At Miller state park;
- (8) At Monadnock state park;
- (9) At Mount Washington state park;
- (10) At Odiorne Point state park;
- (11) At Ossipee Lake natural area;
- (12) At Rhododendron state park;
- (13) At Rollins state park;
- (14) At Rye Harbor state park; and
- (15) At Winslow state park.

(g) Driving of any equine or other utility animal-drawn vehicle shall be permitted on department property roadways, parking areas, and trails when posted as an allowable use. Permission for this activity in areas otherwise prohibited may be granted by special use permit pursuant to Ncr 740 or volunteer agreement pursuant to Ncr 750.

(h) Every animal, including service animals, shall be on rein or lead under the control of their handlers, and shall not be left unattended at any time or place while on department properties.

(i) Owners shall clean up and remove offsite within a reasonable time, but prior to leaving the site, all waste eliminated by their equine or other utility animal from public traffic areas and areas where the public congregates. These areas are defined as paved sidewalks and walkways, maintained play areas, and athletic fields, lawns, and fields maintained by regular mowing and associated with a developed recreation area, campsites, fresh water beaches, areas above the high tide mark at Hampton Beach, improved features such as picnic areas, staging, and gathering areas, and parking lots and trail heads.

(j) Owners shall with reasonable effort remove off of and scatter all waste eliminated by their animal from remote scenic overlooks, vistas, and picnic areas.

(k) When required by posting, owners shall with reasonable effort remove off of and scatter all waste eliminated by their animal from trails and unimproved walkways.

(l) Disposal of stall waste, hay, or manure shall not be permitted on department properties, unless permission has been granted by special use permit pursuant to Ncr 740 or volunteer agreement pursuant to Ncr 750.

(m) If an equine or other utility animal, including a service animal, causes or acts in a manner that might cause or contribute to damage or hazard to patrons, property or park resources, as determined by the authorized department personnel, the owner of the animal shall immediately remove the animal from the department property at the request of the authorized department personnel.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 731.10 Hunting.

(a) No person shall discharge a firearm within 300 feet of developed recreation areas and state historic sites, including parking lots, administrative and maintenance facilities, dwellings, camps, cabins, and yurts, bathhouses, campgrounds, campsites, playgrounds, athletic fields, beaches, pavilions, picnic areas, and boat launches, lawful use of firearms pursuant to RSA 627 excepted.

(b) Hunting shall not be permitted at Robert Frost historic site, the Urban Forestry Center, that portion of Odiorne Point state park located on the east side of NH route 1-A, Opechee Bay state forest, and Shieling state forest.

(c) At Bear Brook state park, hunting in the area known as the game refuge east of Podunk Road shall be limited to bow and arrow and crossbows.

(d) Portable tree stands shall be permitted for the purpose of hunting only within the dates specified in RSA 207:36-a, provided that they are temporarily installed without driving nails or inserting other devices permanently into a tree and that they are installed and removed without damage to any vegetation.

(e) All tree stands left outside the dates specified in RSA 207:36-a shall be subject to removal and disposal by authorized department personnel, for which department shall not be held liable or responsible for loss or damage of such tree stands. The department shall remove tree stands during active timber harvest operations, for which the department shall not be held liable or responsible for loss or damage of such tree stands.

(f) Baiting and trapping shall not be permitted except by permit granted by the state fish and game department pursuant to the interagency agreement with the department.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 731.11 Target Shooting.

(a) No person shall discharge a firearm for the purpose of target shooting within 300 feet of developed recreation areas, including parking lots, administrative and maintenance facilities, dwellings, camps, cabins and yurts, bathhouses, campgrounds, campsites, playgrounds, athletic fields, beaches, pavilions, picnic areas, and boat launches and trails, or within 100 feet of any stream, river, pond, lake, or other water body.

(b) Target shooting shall not be permitted at Robert Frost historic site, the Urban Forestry Center, that portion of Odiorne Point state park located on the east side of NH route 1-A, Opechee Bay state forest, and Shieling state forest.

(c) Target shooting shall not be permitted during the operating season within ¼ mile from developed recreation areas.

(d) Target shooting shall be permitted on the Connecticut Lakes Headwaters Tract in accordance with the public recreation management plan.

(e) Only firearms chambered for rimfire ammunition, center-fire handguns and rifles, muzzleloaders, and shotguns shall be permitted, and all shell casings shall be removed daily and disposed of offsite by the

user.

(f) Fully jacketed, armor piercing, steel core, and tracer ammunition shall be prohibited.

(g) Only targets designed for target shooting shall be used, except explosive target compositions shall be prohibited, and all targets shall be removed daily and disposed of offsite by the user. Shooting glass bottles, household appliances, or standing trees is strictly prohibited.

(h) Skeet, trap, and sporting clay shooting shall be prohibited.

(i) The department shall prohibit target shooting in areas where such activity is permitted when the department determines there is a lack of compliance to this section by users, or the department determines it is necessary under Ncr 731.07.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 731.12 Games. Ball playing, horseshoes, and other games requiring a defined playing area shall be permitted in developed or maintained play or athletic fields or areas designated by authorized department personnel.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 731.13 Soliciting. No person shall conduct commercial and non-profit activity, soliciting, or canvassing on department properties, excepting the use of a vehicle, boat, or clothing permanently affixed with a commercial logo or insignia, unless permission has been granted by special use permit pursuant to Ncr 740 or volunteer agreement pursuant to Ncr 750, such as but not limited to state contracts, leases, or memorandum of agreements.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 731.14 Fires.

(a) Fires shall be permitted only in places provided or designated for that purpose, unless posted as prohibited during times determined by the division of forests and lands for resource protection, such as but not limited to, forest fire danger.

(b) Portable grills, including but not limited to propane, electric, and battery-operated grills, shall be permitted, provided that the department property or beach recreation area has places provided or designated for use of grills. Ash and unused charcoal shall be emptied only into unused fireplaces or receptacles provided for that purpose.

(c) The burning of rubbish, garbage, trash, debris, or any other discarded, refuse, or waste material of every kind and description shall not be permitted.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 731.15 Littering and Sanitation.

(a) No person shall dispose of household or commercial rubbish, garbage, trash, debris, yard or garden waste, dead animals, sewage, human or animal remains, or any other discarded, refuse, or waste material of every kind and description on department properties.

(b) No person shall dispose of rubbish, garbage, trash, debris, sewage, or any other discarded, refuse, or waste material of every kind and description on department properties except in campgrounds, concession areas, and at the Hampton Seashell complex where places and receptacles are provided for such purposes as posted and where such materials are generated by allowable and permitted activities at the site.

(c) No person shall dispose of sewage or solid waste material of any kind from a recreation vehicle or other such vehicle on department properties except in campgrounds where dump stations are provided for such purposes as posted. Only registered campers shall have use of campground and department dump stations.

(d) Department properties shall be “leave no trace” and “carry in and carry out.” For the purposes of this rule, “leave no trace” and “carry in and carry out” means that persons visiting a department property shall take all items brought with them, including any rubbish, garbage, trash, debris, or any other discarded, refuse, or waste material of every kind and description generated by them, upon their departure, except where trash receptacles are provided.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 731.16 Motor Vehicles.

(a) Motor vehicles shall only be used on roads, parking areas, and other designated areas as indicated and shall conform to all applicable motor vehicle laws and rules, and posted directional, speed limit, and advisory signs.

(b) Motor vehicles left for more than 24 hours in areas where day-use or parking fees are charged and without adequate payment of applicable fees or permission being given by authorized department personnel, shall be considered abandoned and shall be subject to towing and storage or immobilization at the owner’s expense.

(c) Motor vehicles left for more than 14 days at trail head and other parking areas without permission being given by authorized department personnel shall be considered abandoned and shall be subject to towing and storage or immobilization at the owner’s expense.

(d) Motor vehicles parked in front of any rail trail or department property gate shall be subject to towing and storage at the owner’s expense.

(e) Motor vehicles left on department properties during a restriction in public use pursuant to Ncr 731.07 shall be subject to towing and storage at the owner’s expense.

(f) Gate closures shall restrict motor vehicle access to all state park properties by the public. This restriction shall not apply to pedestrians, bicyclists, equestrians, or to OHRV or snowmobiles where permitted.

(g) This section shall not apply to department authorized personnel or staff or emergency response personnel in the performance of their duties.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 731.17 Boats.

(a) No person shall leave a boat, as defined in RSA 270-D:1, I, unattended on any department properties or adjacent waters, except at occupied campsites and designated boat storage facilities.

(b) Boats left unattended for more than 24 hours without permission being given by authorized department personnel, shall be considered abandoned and shall be subject to removal and storage at the owner's expense.

(c) Any boat removed and stored pursuant to (b) above, shall be subject to the provisions of RSA 471-C if not claimed within 60 days.

(d) No person shall haul, land, or launch a boat or other watercraft onshore of a department natural area unless otherwise posted as permitted.

(e) Any boat found unattended in a sunken, beached, or drifting condition shall be subject to the provisions of RSA 270-B.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 731.18 Permitted Use on Trails.

(a) Pursuant to RSA 216-F:2, trails within the statewide trail system shall be available for hiking, nature walks, bird watching, horseback riding, bicycling, ski touring, snowshoeing, and snowmobiling, mushing, and off highway recreational vehicles where permitted. The commissioner shall, as necessary, zone and restrict use of any section of the trails after determining appropriate public uses for such trails.

(b) Other department trails shall be available for the uses listed above in accordance with Ncr 730.

(c) All other trails shall be signed for all other permitted uses not covered in this section, including but not limited to directional, speed limit, seasonal restrictions, and advisory signage.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 731.19 Metal Detectors.

(a) Metal detectors shall not be permitted on department properties unless otherwise stated in this section or if permitted by special use permit pursuant to Ncr 740 or by the authorized department personnel.

(b) Metal detectors shall be permitted along the shoreline of beaches, unless otherwise posted.

(c) Metal detectors shall not be permitted at state historic sites and natural areas, or Odiorne Point state park.

(d) Money or items found whose value is in excess of \$50.00 shall be subject to Ncr 731.27, Lost and Found Items.

(e) Administrative rules pertaining to digging pursuant to Ncr 731.20 shall apply.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 731.20 Digging.

(a) Digging shall be permitted on sand beaches, with all resulting holes completely filled in prior to leaving the site. Digging holes to a depth greater than 12 inches shall not be permitted.

(b) Digging and other ground disturbances shall not be permitted on department properties, historic sites, and department natural areas unless permission has been granted by special use permit pursuant to Ncr 740 in cooperation with the division of historical resources pursuant to RSA 227-C:9.

(c) Money or items found whose value is in excess of \$50.00 shall be subject to Ncr 731.27, Lost and Found Items.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 731.21 Mineral Collecting.

(a) Mineral exploration and collecting using mechanized equipment or hand tools shall not be permitted on department properties, unless permission has been granted by special use permit pursuant to Ncr 740, by rights reserved by recorded deed, or by property management plan.

(b) Mineral exploration and collecting shall not be permitted at geologic sites, natural preserves, historic sites, or at elevations above tree line.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 731.22 Constructing or Erecting Structures and Signs. No person shall construct, maintain, or erect any structure, such as but not limited to cairns, rope swings, diving platforms, or permanent tree stands or blinds, or any trails, or any sign or posting on department properties unless permission has been granted by the department or through a special use permit pursuant to Ncr 740 or volunteer agreement pursuant to Ncr 750.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 731.23 Group Use.

(a) Organized groups shall be admitted to a state park property if the park manager determines:

- (1) There is space available at the park for the additional visitors and the group has made an advance reservation;
- (2) The group will not interfere with other park patrons;
- (3) A group leader or organizer shall contact the park manager and request permission for admittance to any state park property during the park's operating season at least 7 days prior to the intended visit; and
- (4) A per person fee shall be collected for admittance to a state park that collects fees. Department fees, including but not limited to admission, pavilion and group use area rentals, attractions, concessions, camping, and parking fees shall apply in recreation areas that collect such fees.

(b) Overnight camping for groups shall be permitted provided that:

- (1) A group leader or organizer contacts the camping reservation office or call center at least 7 days prior to the intended visit;
- (2) The group is a municipality or a non-profit organization or group registered with the secretary of state;
- (3) All youths are up through 17 years of age;
- (4) The group has a minimum size of 10 youths;
- (5) The leader to youth ratio for overnight camping shall be based upon the age and supervisory needs of the youths, such as special needs or at-risk youths, as follows:
 - a. One adult leader for every 4 to 6 for youths under 10 years of age;
 - b. One adult leader for every 4 to 8 youths between 10 to 13 years of age; and
 - c. One adult leader for every 4 to 10 youths between 14 up through 17 years of age;
- (6) Camping is by tent only;
- (7) A deposit, or full payment for remote campsites, has been received at the time of placing the camping reservation, which includes a non-refundable reservation fee; and
- (8) All other campground policies, including cancellation and camper use pursuant to Ncr 732, shall apply.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 731.24 Fireworks. No person shall use fireworks on any department property unless permission has been granted by special use permit pursuant to Ncr 740.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 731.25 Alcoholic Beverages. Possession and consumption of alcoholic beverages shall be permitted on department properties except as listed in this section:

- (a) At all seacoast beaches, possession and consumption of alcoholic beverages shall be prohibited pursuant to Ncr 733.13(b);
- (b) At the state operated ski area, consumption of alcoholic beverages shall only be permitted in designated areas pursuant to Ncr 734.06;
- (c) At all inland beaches and beach recreation areas, possession and consumption of alcoholic beverages on the beach area shall be prohibited pursuant to Ncr 733.09;
- (d) In the following state historic sites, possession and consumption of alcoholic beverages shall be prohibited unless permission has been granted through the provisions under Ncr 740:
 - (1) Fort Constitution;
 - (2) Fort Stark;
 - (3) Frost Farm;

- (4) Hannah Duston historic site;
- (5) Pierce Homestead;
- (6) Webster Birthplace; and
- (7) Weeks state park.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 731.26 Geocaching and Letterboxing.

(a) For the purposes of this rule:

- (1) “Geocaching” means an outdoor recreational activity whereby participants use navigational tools to hide and search for a container that is placed in a publicly-accessible place;
- (2) “Letterboxing” means an outdoor recreational activity whereby participants use clues to hide and search for a box that is placed in a publicly-accessible place; and
- (3) “Earthcache” means a type of geocache activity that directs participants to a special geological location to learn about a unique feature of the Earth.

(b) No person shall place objects on department properties for the purpose of geocaching or letterboxing, or shall develop an earthcache or other virtual cache for a department property, unless written permission has been granted by authorized department personnel.

(c) A written request for geocaching or letterboxing shall be made by contacting the regional supervisor, park manager, or forest manager and providing the following:

- (1) Proposed location of geocache or letterbox, including global positioning system coordinates, datum, or clues;
- (2) Type of container to be used;
- (3) Where and how the geocache or letterbox is listed or advertised;
- (4) Contact information, including name, address, telephone or cell phone number, and email address;
- (5) Length of time the geocache or letterbox will be in place; and
- (6) That the geocache or letterbox shall be maintained by the requestor or designee during the length of time.

(d) Geocaching or letterboxing shall be approved in writing if the regional supervisor, park, trails, or forest supervisor or manager determines:

- (1) Placement, discovery, and removal will not damage or disturb natural resources. “Natural resources” means flora, trees, and vegetation, soils, water, and wetland resources, geological features, and fauna, wildlife, and wildlife habitat; and
- (2) The activity will not cause harm or disturb other patrons.

(e) Cache and letterbox containers, including ammunition canisters shall be permitted for use provided that:

(1) The ammunition canister shall be painted in non-military colors if located within 300 feet of developed recreation areas, including parking lots, administrative and maintenance facilities, dwellings, camps, cabins and yurts, bathhouses, campgrounds, campsites, playgrounds, athletic fields, beaches, pavilions, picnic areas, and boat launches; and

(2) The name of the cache, the name of the owner of the cache, and the date the department granted approval for the cache shall be clearly labeled on the outside of all containers and canisters.

(f) If the regional supervisor, park, trails, or forest supervisor or manager does not approve a request pursuant to (d) above, the regional supervisor, park, trails, or forest supervisor or manager shall notify the person in writing of the specific reasons for denial.

(g) Geocaches or letterboxes shall be removed at the conclusion of the scheduled time period. Notification of removal shall be made to the regional supervisor, park, trails, or forest supervisor or manager. The regional supervisor, park, trails, or forest supervisor or manager shall remove a geocache or letterbox prior to the scheduled time period if the conditions under Ncr 731.07 occurs, for which the department shall not be held liable or responsible for loss or damage of such cache or letterbox, but shall make a reasonable attempt to notify the owner.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 731.27 Lost and Found Items.

(a) Any person who finds on a department property, by whatever means, money or items whose value is in excess of \$50.00 shall report to and leave such money or items with an authorized department personnel.

(b) The authorized department personnel shall take the following steps:

(1) If the money or items was reported by a park guest as lost or missing, such money or items shall be returned to the park guest upon adequate proof of ownership; or

(2) If the money or items was not reported as lost or missing, such money or items shall be retained by the authorized department personnel in a safe for a period of 60 days; and

(3) The money or items shall be returned to the finder if the money or items are not claimed following the 60 day period.

(c) Money or items found that exceed a value of \$250, as determined by authorized department personnel, shall be subject to the provisions of RSA 471-C regarding the custody and escheat of unclaimed and abandoned property.

(d) Items found of historical, cultural, or archeological value, as determined by the division director in consultation with and based upon the technical expertise of the bureau of historic sites supervisor and the division of historical resources, shall remain the property of the state.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 731.28 Feeding of Wildlife. The feeding of wildlife shall not be permitted at any time, including the use of birdseed, rice, and other food-based products for wedding processions and other events.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 731.29 Smoking. Smoking shall be permitted in designated smoking areas only, as posted. Smoking shall be prohibited in all other areas, except for seacoast parks, in the interest of public health and safety under Ncr 731.07(b)(3), and Ncr 731.15, littering and sanitation, as determined by the department. For purposes of this provision, "smoking" means having in one's possession a lighted cigarette, cigar, or pipe, vape or any device designed to produce the effect of smoking, as defined in RSA 155:65, XV.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 731.30 Reckless Conduct.

(a) No person shall act in a manner which might cause or contribute to self-injury or to the injury of others, or act in a manner that creates a situation which requires or might require assistance for themselves or others. If authorized department personnel determine that an individual is behaving in such a manner, the authorized department personnel shall immediately evict the individual from the property and suspend any day-use ticket, parking fee, camping permit, and may charge the individual with a violation and fine pursuant to Ncr 731.04, and suspend any season pass and special use permit, or other permit or pass.

(b) If a day-use ticket, parking fee, or daily special use permit is suspended pursuant to (a) above, the department shall retain such fees and hold an adjudicative hearing not later than 10 business days from the date of suspension upon the request of the suspended ticket, fee, or permit holder. The hearing shall be held in accordance with the provisions of Ncr 200.

(c) If a camping permit is suspended pursuant to (a) above, the department shall follow remedial action pursuant to RSA 216-I:6.

(d) If a season pass or seasonally-based special use permit is suspended pursuant to (a) above, the department shall retain such fees and hold an adjudicative hearing pursuant to RSA 541-A:30, III.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 731.31 Theft of Services. Theft of services or theft by deception shall be reported to the appropriate authorities.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 731.32 Bicycle Use.

(a) Pursuant to RSA 216-F:2 bicycle use shall be permitted on department roads and trails unless prohibited.

(b) A person operating a bicycle shall not exceed 20 mph at any time, except for on rail trails where motorized OHRVs are allowed, electric and power-assisted bicycles shall not exceed the posted speed limit.

(c) No person operating a bicycle shall exceed the speed of any person walking in a designated walking speed zone;

(d) All trail users, including pedestrians, shall keep to the right of the trail except when passing;

(e) All persons operating a bicycle ½ hour after sunset and ½ hour before sunrise, including but not limited to the rail trails used as commuter corridors, shall use bicycle lights and reflectors that are visible at a distance of 600 feet.

(f) No person shall operate a bicycle when that trail is closed by the park manager for maintenance reasons or for restrictions in public use pursuant to Ncr 731.07.

(g) Bicycles and electric and power-assisted bikes shall be prohibited on sidewalks per RSA 265:26-A and the Hampton Beach state park boardwalk.

(h) Bicycle racing shall be prohibited on the Franconia Notch recreational trail, unless permission has been granted by special use permit pursuant to Ncr 740.

(i) The recreational use of electric and power-assisted bicycles as defined by RSA 259:27-a shall be managed within the same rules and regulations as outlined in RSA 265:144-a, as follows:

(1) Class 1 and 2 electric bicycles are permitted on natural surface trails where bicycle riding is permitted.

(2) Class 3 bicycles are permitted only on Class III recreational roads, park roads, and rail trails.

(j) Bicycle use on trails groomed for winter recreation shall be permitted only on when trails are frozen.

(k) Bicycle use is prohibited on the trails located on the following state reservations, park roads and forest roads excepted, unless permitted by special use permit pursuant to Ncr 740, as follows:

(1) At all state historic sites under the jurisdiction of the department's bureau of historic sites, except for the John Wingate Weeks historic site;

(2) Bear's Den natural area; and

(3) Ossipee Lake natural area.

(l) Railroad bikes, also known as "rail bikes", means any pedal-powered bicycle with flanged wheels that are designed specifically to use on standard rail road tracks. Rail bikes shall be prohibited on the Cotton Valley rail trail.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 731.33 Unmanned Aircraft System Use. The launching and landing of an unmanned aircraft system (UAS or drone) shall be prohibited on all department reservations unless approved by the department through a special use permit or contract, with preference given to the below stated purposes. Permitted use of a UAS shall comply with all FAA and state laws, regulations, and rules and be approved as follows;

(a) The director of forest and lands, the director of parks and recreation, or their respective assignees, shall be authorized to review and approve special use permit applications or contracts that are within their respective jurisdictions to allow the use of a UAS;

(b) The following activities shall be given preference for granting a permit or contract for UAS use on department reservations:

(1) Requests from law enforcement, firefighting agencies, search and rescue organizations, and other governmental first-response agencies for the purposes of training or testing;

- (2) Requests from law enforcement, firefighting agencies, search and rescue organizations, and other governmental first-response agencies for the purposes of public emergency operations shall be processed as follows:
 - a. Such requests for UAS use on department reservations shall be immediately approved without the need for prior approval from the directors.
 - b. Any and all UAS operations shall be under the authority of and the responsibility of the person in charge of the incident;
 - c. Notification of the use of a UAS on department reservations for emergency operations shall be given to the appropriate director within 24 hours of the event;
 - (3) Permission shall be granted at the discretion of the appropriate director, whose decision shall be final; and requests from accredited universities, colleges, and technical institutes for the purpose of natural resource-based, scientific research projects with a research proposal signed by the course instructor on official letterhead or other correspondence;
 - (4) Requests from professional news and media outlets, verified by the department's public information officers, for the purposes of tourism, marketing, and promotional projects;
- (c) The department shall consider the following criteria in its evaluation of a request for a special use permit or contract to launch or land a UAS on department reservations:
- (1) The appropriateness of the requested activities and whether the use of a UAS will result in unacceptable impacts to natural and cultural resources, trails, and facilities ("resources"), or unacceptable impacts to visitors, and the visitor experience;
 - (2) Applicability of current FAA, state, and any other applicable regulations and requirements for the use and operation of a UAS;
 - (3) Potential for injury to self or others, damage to resources, uses that would be contrary to the purposes for which the state reservation was established, uses that would cause unacceptable impact to the peace and tranquility maintained in wilderness, natural, historic, or cultural areas within the state reservation;
 - (4) Potential for impact to program activities, visitors' experience, visitors' services, or the operation of public facilities, or services provided by department staff, concessionaires, or lessees;
 - (5) Potential for a clear and present danger to public health and safety, or the potential for an invasion of privacy of department staff, the public, or visitors; and
 - (6) Potential to result in significant conflict with other existing uses or special events within the state reservation.
- (d) When use of a UAS is permitted by the department, the following conditions for use shall apply:
- (1) Operation of a UAS shall comply with current FAA, state, and any other applicable regulations and requirements for the use and operation of a UAS, as amended;
 - (2) Disturbance or harassment of wildlife by a UAS shall be strictly prohibited, pursuant to RSA 207:57;
 - (3) Interference with official law enforcement, fire, or medical services, or other emergency operations shall be strictly prohibited;

- (4) Operation of a UAS shall be restricted to the designated area(s) within the state reservation, and to the dates and times identified;
- (5) Any other appropriate terms and conditions contained in the special use permit or contract to ensure safe operation of a UAS and to mitigate any unacceptable impacts to the resources, the public, or the visitor experience;
- (6) The unauthorized carrying of flammable liquids or any other hazardous materials, including for fueling, by a UAS shall be strictly prohibited;
- (7) Operating a UAS in a reckless manner or outside the permitted designated area(s) shall be prohibited;
- (8) Flying directly over people, vessels, vehicles, or structures, and endangering the life and property of others shall be prohibited;
- (9) Video or audio surveillance of people without their prior written consent shall be prohibited;
- (10) An experienced UAS operator shall accompany and assist an inexperienced UAS operator;
- (11) All accidents however minor and regardless of damage to persons or property, shall be reported to the department staff, the FAA in accordance with FAA Part 107, and the NH department of transportation bureau of aeronautics immediately; and
- (12) Any other conditions and restrictions, as specified in a special use permit or contract.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 731.34 Use of cameras and surveillance. To protect the privacy of the general public at department campgrounds, beach recreation areas, designated swim areas, and day use areas, the use of cameras, including game cameras, for the purposes of surveillance and observation shall be prohibited by any person other than department personnel in the performance of their duties and other state agencies by special use permit. For purposes of this section, "cameras" means any device capable of recording and transmitting photographic or video data, with or without a wire, to a remote device, such as a computer, smartphone, or other viewing device. The term also includes a device that merely records photographic or video data and stores such data for later use.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

PART Ncr 732 USE OF CAMPGROUNDS

Ncr 732.01 Applicability. In addition to all other rules in Ncr 730, the provisions of Ncr 732 shall apply to all department properties, and subsequent properties and easements upon acquisition, and to all listed conservation or trail easement properties held by the department to the extent that these provisions apply to the rights granted to the state, or the restrictions placed on the property.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 732.02 Camping.

(a) No person shall camp on department properties except in designated campsites, shelters, cabins, yurts, and other department lodging facilities.

(b) Reservations for camping shall be made by contacting the camping reservation office or using online reservation service and providing the following:

- (1) The camper's name;
- (2) The camper's mailing address;
- (3) The camper's telephone number and email address;
- (4) The total number of campers over the age of 18;
- (5) The total number of campers under the age of 18;
- (6) If pets are permitted onsite, the total number of pets;
- (7) The number of nights being requested for reservation;
- (8) The method of payment; and
- (9) Payment of all fees, including a non-refundable reservation fees and campsite fees.

(c) Campsites shall not be registered to persons under age 18.

(d) The maximum number of adults that can be registered to a standard campsite shall be 4, except at certain remote, lean-to, or family camping campsites that can accommodate more or are restricted to fewer persons.

(e) The maximum number of vehicles parked at each campsite shall be 2 unless otherwise specified.

(f) The maximum number of tents accommodated at each tent campsite shall be 2 unless otherwise specified.

(g) At RV-only campgrounds, the maximum number of persons registered to a campsite shall not exceed the number of persons the recreational vehicle is designed to sleep.

(h) Adult groups shall not be permitted to reserve youth group campsites without permission from the park manager or regional supervisor, whose decision shall be based upon campsite availability and reasonable mitigation of user conflicts.

(i) Overnight stays at trail shelters on the Cohos Trail located in Nash Stream state forest and on the Monadnock-Sunapee Greenway Trail located in Max Israel state forest and Pillsbury state park and other remote locations where overnight stays are permitted shall have a maximum duration of 2 consecutive nights.

(j) Changes to a camping reservation shall be made by calling the camping reservation office at least one day prior to the arrival date of the reservation, with payment of a non-refundable change fee in accordance with the department's fees pursuant to RSA 216-A:3-g. Changing the name on a reservation shall be considered a cancellation of the original reservation.

(k) Cancellations may be made up to and on the arrival date of the reservation, with payment of a cancellation fee. The reservation fee and a portion of the camping fee shall be non-refundable in accordance with the department's fees pursuant to RSA 216-A:3-g.

(l) Reservations shall be non-transferrable at the park.

(m) Refunds shall not be issued due to weather. Refund requests shall be in writing and mailed to: The NH Reservation Information Office, 172 Pembroke Rd, Concord, NH 03301.

(n) Should the department close a campground pursuant to Ncr 731.07, the department shall refund unused portions of the campsite fees, excluding the non-refundable reservation fee.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 732.03 Camping Permits.

(a) Campers shall register with the department employee or campground host to obtain a camping permit. Identification shall be required as proof of the reservation and the camper shall provide the camper's vehicle registration number(s). A camper's failure to register with the department employee or campground host by noon of the day after the scheduled arrival date shall forfeit the camping reservation.

(b) Campers shall not setup their campsite during the hours of 10:00 PM through 7:00 AM, unless permission has been granted by authorized department personnel who shall determine that the arrival can be accommodated and shall not disturb other campers' quiet enjoyment of the campground.

(c) Camping permits shall be displayed in the vehicle where easily visible from the exterior at all times. Campers not travelling by motor vehicle shall display camping permits in a location easily visible at all times.

(d) Camping permits shall have a maximum duration of 14 consecutive days at all campgrounds unless extended pursuant to paragraph (e). Hampton Beach and Ellacoya RV parks shall have a maximum duration of 14 consecutive or accumulative days from Memorial Day weekend to Labor Day weekend for any person or camping vehicle. Extensions of camping permits at Hampton Beach and Ellacoya RV parks shall not be permitted.

(e) Camping permits shall not be extended unless the campground has less than a 60% occupancy rate. At such times, upon request, permits shall be extended by up to an additional maximum duration of 14 days.

(f) Campers shall pay any additional fees due, including fees for each additional adult and child beyond the standard reservation occupancy of 2 adults and up to 4 children.

(g) Camping reservation fees shall be non-refundable and non-transferable, Ncr 732.02(k) and (1) excepted.

(h) Campers shall vacate the campsite and the park on or before the posted checkout time, or shall be charged a late checkout fee and an additional night of camping in accordance with the department's fees pursuant to RSA 216-A:3-g.

(i) Camper's equipment and personal property left unattended after the posted checkout time without permission being given by authorized department personnel, shall be considered abandoned and shall be subject to removal and storage at the owner's expense.

(j) Any camper equipment and personal property removed and stored pursuant to (i) above, shall be subject to the provisions of RSA 471-C:14, if not claimed within 60 days.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 732.04 Campers.

(a) Campers shall not make noise loud enough to disturb other campers between the hours of 10:00 P.M. and 7:00 A.M.

(b) Campers and any day-use visitors of the campsite shall not conduct activities that will disturb other campers' quiet enjoyment of the campground at any time, including but not limited to use of foul language and use of generators.

(c) The use of generators for any purpose, including but not limited to the charging or recharging of batteries, shall be permitted during the hours of 9 a.m. to noon and from 5 p.m. to 8 p.m. only, unless otherwise posted, and shall not exceed the established allowable decibel level.

(d) Campers shall have all fires extinguished by 12:00 A.M. midnight, or as determined by fire permit. Pursuant to RSA 227-L:17, whoever shall kindle or cause to be kindled any such fire or use an abandoned fire in or near woodlands shall totally extinguish the same before leaving it and, upon failure to do so, such person or persons shall be subject to the same liabilities and penalties a prescribed in RSA 227-L:17.

(e) Campers shall not have any day-use visitors at their campsite between the hours of 10:00 P.M. and 7:00 A.M.

(f) Persons visiting campers shall be registered for campground day-use. All applicable fees and restrictions shall apply. The maximum number of visitors allowed on a campsite shall not be exceeded, as determined by the department employee or authorized campground host.

(g) Any visitor staying overnight shall be registered for each night of their stay. All applicable fees and restrictions shall apply to such visitors registered for overnight stays.

(h) Campers shall not leave campsites unattended overnight without notifying authorized department personnel in advance.

(i) Campers shall dispose of all trash properly by use of a campground trash dumpster if available or taking their trash with them. Campers shall recycle materials in marked recycle bins if available.

(j) The registered camper identified by the camping permit shall be responsible for all members of the camper's party or group, including the disturbance of other campers and visitors and any damages incurred.

(k) Only registered campers shall have use of campground and department dump stations.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 732.05 Camping Permit Suspension.

(a) At any time, if a park manager or other authorized department personnel determines that a camper or anyone in the party is violating provision Ncr 732.04, or causing environmental or property damage, or endangering public health, safety, or welfare, the park manager or other authorized department personnel shall immediately suspend a camping permit pursuant to RSA 216-I:6, and the camper shall be evicted from the property.

(b) Should a camping permit be suspended pursuant to (a) above, the permit fee and all associated fees shall be retained by the department, except for a portion of unused camping rental fees as allowed by RSA 216-I:6.

(c) Should a camping permit be suspended, the camper shall be prohibited from applying for a camping permit at any department campground for one year from the date of the suspension.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

PART Ncr 733 USE OF WATERFRONT PARKS

Ncr 733.01 Applicability. In addition to all other rules in Ncr 730, the provisions of Ncr 733 shall apply to all department properties, and subsequent properties and easements upon acquisition, and to all listed conservation or trail easement properties held by the department to the extent that these provisions apply to the rights granted to the state or the restrictions placed on the property.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 733.02 Swimming.

(a) No person shall swim at any department facility where and when a day-use fee is charged except in areas designated by swimlines, seacoast beaches excepted.

(b) Persons who swim at a designated swim area shall do so at their own risk.

(c) Persons who swim at remote areas that are not swim areas designated by swimlines shall swim at their own risk.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 733.03 Glass. No person shall have glass of any kind on any beach.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 733.04 Beach Fires. No person shall have fires or portable grills on any beach, except as permitted in Ncr 731.14 (a) and (b).

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 733.05 Swimming and Floatation Equipment.

(a) No person shall use oars, paddles, electric motors, or other propulsion devices used to propel inflatables or other floatation equipment in designated swimming areas delineated by swimlines. Authorized department personnel shall determine the maximum size of inflatables and other floatation equipment that can be reasonably accommodated within the designated swimming areas.

(b) No person shall use boats, canoes, kayaks, and other watercraft in designated swimming areas.

(c) No person shall use boats, inflatables and other floatation equipment, and skim, boogie, or surfboards in Archery Pond in Bear Brook state park.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 733.06 Digging. No person shall dig holes on sand beaches unless all resulting holes are completely filled in prior to leaving the site. Digging holes to a depth greater than 12 inches shall not be permitted.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 733.07 Scuba Diving. No person shall scuba dive in designated swimming areas, nor in Archery Pond in Bear Brook state park.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 733.08 Swimming Instruction and Swimming Programs.

(a) Any non-profit community group such as the Red Cross, YMCA, YWCA, or community recreation department shall be eligible to sponsor swimming classes and swimming programs at a department property by submitting a request for a special use permit pursuant to Ncr 740.

(b) The organization's request shall be approved if the director determines:

- (1) The program is open to the general public;
- (2) There is space available at the facility requested for use; and
- (3) All requirements of the special use permit pursuant to Ncr 740, are met.

(c) If the director does not approve a request pursuant to (b) above, the director shall notify the organization in writing of the specific reasons for denial.

(d) If the director approves a request, a special use permit shall be granted and the swimming program director or instructor shall, prior to beginning any lessons, contact the park manager to receive approval of the swimming lesson schedule and a location for the swimming program, as determined by the park manager.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 733.09 Alcohol. The possession and consumption of alcoholic beverages shall be prohibited at all inland beaches and beach recreation areas, including but not limited to Bear Brook, Clough, Franconia Notch – Echo Lake, Ellacoya, Greenfield, Jericho Mountain, Kingston, Moose Brook, Pawtuckaway, Silver Lake, Sunapee beach, Wellington, Wentworth beach, and White Lake state parks.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 733.10 Smoking. Smoking, as defined under RSA 155:65, XV., shall be prohibited on the beach area of all inland beaches and beach recreation areas, including but not limited to properties listed in Ncr 733.03. Smoking shall be permitted within designated smoking areas only, as posted.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 733.11 Amplified Audio. Park guests shall not conduct activities that will disturb other visitors' quiet enjoyment of park properties pursuant to Ncr 733.03, including but not limited to *the* broadcasting of audio. Persons shall listen to audio using headphones, earbuds, and similar devices.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 733.12 Use of Boat Launch Areas. In accordance with Fis 1603.01 (aa), in order to prevent damage to the public boat access area caused by the practice known as "power loading", no person at a public boat access area ramp shall utilize the propulsion forces of an outboard or inboard motor propeller or jet to assist in the process of either launching a boat from a trailer into the water or loading a boat from the water on to a trailer, except to the minimum extent required to maintain control of the boat against the forces of wind, tide, or current then experienced.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 733.13 Seacoast Parks and Beaches.

(a) In addition to all other rules in Ncr 730 and Ncr 733, this section shall apply to only Hampton Beach state park, Hampton Beach South, North Beach, North Hampton state beach, Jenness state beach, Wallis Sands state park, Odiorne Point state park, Rye Harbor state park, and seacoast historic sites, and any other seacoast park or area where a parking fee or day-use fee is charged.

(b) Possession or consumption of alcoholic beverages shall not be permitted, unless permission has been granted by special use permit or group reservation pursuant to Ncr 740.

(c) No person shall sleep in a vehicle located within these areas between ½ hour after sunset and ½ hour before sunrise.

(d) The beaches shall be closed to the public between the hours of 1:00 A.M. and ½ hour before sunrise, except for anglers.

(e) Inflatables and other floatation equipment, face masks, diving goggles, and snorkel tubes shall not be permitted where lifeguards are on duty.

(f) Skim boards shall not be permitted. For the purposes of this rule, "skim board" means a thin, flat, round, or rectangular board used to ride over shallow water into oncoming waves close to the shoreline.

(g) Boogie boards shall be permitted. All boogie boards shall be equipped with a retention strap or other device to prevent the boogie board from being separated from the user. Said device shall be utilized at all times. For the purposes of this rule, "boogie board" means a short, lightweight surfboard used to ride waves to the shoreline.

(h) Surfing and surfboards, including but not limited to stand-up paddle boards, shall not be permitted when lifeguards are on duty except at the designated area at Hampton Beach state park, North Beach marked by checkered flags as a "surf zone". All surfboards shall be equipped with a safety harness or other device to prevent a surfboard from being separated from the user. Said device shall be utilized at all times.

(i) Fishing shall be prohibited when lifeguards are on duty, except for Odiorne Point state park, Rye Harbor state park, along the entrance of Hampton River at Hampton Beach South, at seacoast state historic

sites, in designated areas and when permission is granted by authorized department personnel based upon the number of visitors on the beach.

(j) Landing or launching of motorized water-craft shall not be permitted, Odiorne Point state park, Rye Harbor state park and seacoast historic sites excepted.

(k) Landing or launching of air-craft shall not be permitted, unless permission has been granted by special use permit pursuant to Ncr 740.

(l) No person shall block or impede the safe and orderly flow of pedestrian traffic, unless permission has been granted by special use permit pursuant to Ncr 740, and no person shall use the following equipment on the Hampton Beach state park boardwalk, which includes all pedestrian walkways on the east side of Ocean Boulevard from Haverhill Avenue heading north to the Marine Memorial:

- - (1) Skateboards;
 - (2) Roller skates, rollerblades, or roller skis;
 - (3) Tricycles and bicycles;
 - (4) Motorized bicycles; and
 - (5) Electronic Personal Assistive Mobility Devices (EPAMDs), such as Segways.
- (m) In the operation of the seacoast parking facilities, the department shall:
 - (1) Issue a parking citation and collect parking violation fines and fees pursuant to RSA 216:3, I and RSA 12-A:2-c, IV for parking violations consisting of one or several of the following:
 - a. Exceeding the vehicle length limit of 20 feet in a metered or leased parking space;
 - b. Parking with an expired parking receipt or with expired time;
 - c. Parking with no parking time purchased;
 - d. Failure to properly display a handicap placard;
 - e. Failure to enter the vehicle plate number accurately; or
 - f. Parking illegally in:
 - 1. A leased parking space;
 - 2. A reserved parking space;
 - 3. A no parking zone;
 - 4. A pedestrian crosswalk;
 - 5. A handicapped parking space;
 - 6. A bus parking space or area;
 - 7. A motorcycle parking space;
 - 8. A roadway or driveway;
 - 9. Front of or blocking a fire hydrant;

10. An emergency vehicle or police only parking space;
11. Over an allocated parking space as indicated by painted white lines;
12. Employee parking only space;
13. Authorized parking only space;
14. Police parking only space;
15. Any gated parking area after posted parking hours;
16. Entering a parking lot through the “exit only” egress; or
17. Parking when parking lots are posted as restricted to public use;

(2) Collect additional parking violation fines for each meter overtime period or continued violation;

(3) Subject motor vehicles whose owner has parked illegally, pursuant to Ncr 733.13,(m),(1) d, or has greater than 3 unpaid parking citations on record to towing or immobilization at the owner’s expense;

(4) Subject motor vehicle owner to additional late fees if citation is not paid in full or is not fully adjudicated within the timeframe allowed;

(5) Refer delinquent and non-payment of parking violations fines and fees exceeding 80 days to the department’s collections agent;

(6) Refer habitual offenders having 5 or more unpaid citations to the attorney general’s debt recovery collections office;

(n) Allow a person who has been issued a parking citation to request an appeal within 15 days of the date the citation was issued by taking the following steps:

(1) The claimant shall complete the department’s online “Citation Review Form” (June 2025) by providing the following information:

- a. Name, complete mailing address, day-time phone number, and email address;
- b. Citation number, issue date; vehicle plate number; and
- c. Basis for why claimant thinks the citation was issued in error, and any supporting “documents;”

(o) Upon receipt of the “Citation Review Form” (June 2025) appeal request, halt all additional activity on the citation, including the assessment of additional fees, and shall conduct an administrative review of the appeal as follows:

(1) If the department approves the appeal or approves a portion of the appeal, the department shall determine the fines and fees due pursuant to RSA 216-A:3-g;

(2) If the department denies the appeal, the claimant shall pay the balance due within 15 calendar days of date of notice. Should payment not be received by the department, the department shall reinstate assessment of all late fees owed upon the 16th day and assessed based on the citation issue date; and

(3) Written notification of the department's decision on the appeal shall be sent within 7-10 business days, including any balance due.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

PART Ncr 734 USE OF THE STATE OPERATED SKI AREA

Ncr 734.01 Applicability. In addition to all other rules in Ncr 730, this part shall only apply to Franconia Notch state park.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 734.02 Trail Use Limitations. The public shall not use sleds, toboggans, saucers, and similar equipment, except snow tubes provided by the state park, or motor propelled devices on trails, both cross country and downhill, or slopes unless permission has been granted by special use permit pursuant to Ncr 740.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 734.03 Ski Lifts.

(a) Persons waiting to board chairlifts shall maintain orderly lines and shall board the lift on a first come first served basis.

(b) Children being carried and non-skiers shall not be permitted on any chairlift except the Cannon Mountain aerial tramway.

(c) Lift riders shall not swing or jump from any chairlift.

(d) Lift riders shall not throw anything from any chairlift.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 734.04 Ski Equipment.

(a) Persons with ski and snowboard equipment that is defective or who have ski equipment that a ski shop has refused to service shall not be permitted on slopes or lifts.

(b) All skis shall be equipped with retention straps or other devices to prevent runaway skis.

(c) Skis and poles shall not be permitted in the dining and lounge areas of any buildings.

(d) All snow tube equipment used in state operated ski areas shall be provided by the state park.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 734.05 Personal Belongings. Clothing and other personal belongings shall only be left in designated areas and at the owner's own risk and shall not be the responsibility of the department.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 734.06 Alcoholic Beverages. Alcoholic beverages shall be permitted only in buildings and areas designated for consumption and sale. Alcoholic beverages obtained from other than the designated sales area within the building shall not be displayed or consumed.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 734.07 Smoking. Smoking, as defined under RSA 155:65, XV., shall be prohibited on any outdoor dining area associated with the food service facilities within the park.

Source. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 734.08 Ski Tickets. Day-use and season ski tickets shall not be transferred, subject to refund, or resold. Purchase of a ski ticket shall allow only the original purchaser to use the facilities.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 734.09 Reckless Conduct.

(a) No person shall act in a manner which might cause or contribute to self-injury or to the injury of others, or act in a manner that creates a situation which requires or might require assistance for themselves or others. If authorized department personnel determine that an individual is skiing or riding in such a manner, the authorized department personnel shall immediately evict the individual from the property and suspend any day-use or season ski ticket pursuant to RSA 541-A:30, III.

(b) If a day-use ski ticket is suspended pursuant to (a) above, the department shall retain such fees and hold an adjudicative hearing not later than 10 working days from the date of suspension upon the request of the suspended ticket holder. The hearing shall be held in accordance with the provisions of Ncr 200.

(c) If a season pass is suspended pursuant to (a) above, the department shall retain such fees pending an adjudicative hearing pursuant to RSA 541-A:30, III.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

PART Ncr 735 USE OF FRANCONIA NOTCH RECREATIONAL TRAIL

Ncr 735.01 Applicability. In addition to all other rules in Ncr 730, this part shall only apply to Franconia Notch state park.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 735.02 Trail Use Limitations. No person shall use the following equipment or animals on the Franconia Notch recreational trail:

(a) Skateboards;

- (b) Roller skates, rollerblades, or roller skis;
- (c) Children's tricycles, except these shall be permitted from the parking lot to the Old Man Viewing Area;
- (d) Motorized bicycles;
- (e) Electronic Personal Assistive Mobility Devices (EPAMD), such as Segways; or
- (f) Horses.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 735.03 Motor Vehicle Use. No person shall operate a motor vehicle on the Franconia Notch recreational trail during the spring, summer, or fall seasons except for maintenance and enforcement vehicles operated by personnel in the performance of their duties.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 735.04 Limits. The following shall apply to all users when utilizing the Franconia Notch recreational trail:

- (a) A person operating a bicycle shall not exceed 20 mph at any time;
- (b) No person operating a bicycle shall exceed the speed of any person walking in a designated walking speed zone;
- (c) All trail users, including pedestrians, shall keep to the right of the trail except when passing;
- (d) No person shall operate a bicycle between ½ hour after sunset and ½ hour before sunrise; and
- (e) No person shall operate a bicycle when that trail is closed by the park manager for maintenance reasons or for restrictions in public use pursuant to Ncr 731.07.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 735.05 Trail Uses Not Permitted.

- (a) No person shall obstruct other users of the trail.
- (b) Foot and bicycle racing shall not be permitted on the Franconia Notch recreational trail, unless permission has been granted by special use permit pursuant to Ncr 740.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 735.06 Protection of Natural Habitats. No person shall remove or cut any plant or vegetation or damage any natural feature at any time, within the high-elevation protected wildlife habitat zones at Franconia Notch state park.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

PART Ncr 736 MEMORIAL POLICY

Ncr 736.01 Memorial Policy Definitions.

(a) "Memorial" means any statue, monument, sculpture, bench, tablet, memorial, plaque, or other structure or landscape feature, including a tree, garden, or memorial grove, designed to perpetuate in a permanent manner the memory of a person, whether deceased or not, group, or event. The term "memorial" also includes the naming of structures or other features, including features within the interior of buildings and trails.

(b) "Commemorate" means the process of remembrance, or showing respect for someone or something by means of a ceremony, or by doing or building something in remembrance of a person or an event.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 736.02 Memorials.

(a) The installation of memorials or other commemorative items on land owned or controlled by the department shall be prohibited unless:

(1) Approved in advance by the commissioner in accordance with Ncr 736.03; and

(2) The receipt of the commemorative items is approved by the governor and executive council when required by RSA 4.

(b) The donation of memorials or other commemorative items shall be submitted for approval to the commissioner per RSA 216-A:3-o and RSA 227-H:7, if the value of the item(s) is no more than \$2,500.00.

(c) The donation of memorials or other commemorative items shall be submitted for approval to the governor and executive council per RSA 4:8, I if the value of the item(s) exceeds \$2,500.00.

(d) A special use permit shall be required for any ceremony connected to the installation of a memorial in accordance with Ncr 740, or that involves alteration of a department facility or alteration of the landscape of department property.

(e) Memorials installed on department lands without the required authorizations shall be removed by the commissioner or authorized personnel, and disposed of pursuant to RSA 471-C:14. In the event the value of the memorial exceeds \$250.00, the matter shall be referred to the office of the attorney general seeking assistance to obtain appropriate legal relief against the apparent owner of the memorial.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

Ncr 736.03 Authorization for Memorials.

(a) No memorial shall be authorized in honor of a person unless at least 2 years have elapsed since the death of the person to be commemorated.

(b) The appropriate division director shall authorize a memorial when:

- (1) There is a compelling justification for the recognition; and
- (2) The proposed memorial is consistent with the department's mission pursuant to RSA 12-A:10-h, RSA 19-A:1, RSA 216-A:1, RSA 227-C:4, and RSA 227-G:1.

(c) A person seeking to install a memorial on property owned or controlled by the department shall submit a request in writing to the director, providing the following information:

- (1) The name of the person making the request, together with address and contact information;
- (2) A description of the proposed memorial, including size, material, and inscription;
- (3) The project schedule for installation at the site;
- (4) A detailed plan showing the memorial's proposed location; and
- (5) Justification for the memorial, including:
 - a. How the memorial is consistent with the department's mission;
 - b. The association between the land area or facility and the person, group, or event to be commemorated; and
 - c. How the memorial enhances the public's appreciation of the land, facility, or natural and cultural resources.

(d) The director shall apply the following factors in making the determination whether to authorize the installation of a memorial:

- (1) The association of state-wide importance between the land area or facility and the person, group, or event to be commemorated;
- (2) Whether the location and design of the memorial avoids significant disturbance of natural features of the site;
- (3) Whether the memorial will be constructed of materials suitable for, and consistent with the local environment;
- (4) Whether the memorial will interfere with open space and existing public use;
- (5) Whether the memorial design is aesthetically appropriate to the site;
- (6) Whether the ongoing maintenance of the memorial is burdensome on department's operations or budget; and
- (7) Whether the memorial that requires ongoing maintenance and an endowment in an amount sufficient for its permanent care or an agreement that provides for its perpetual care is provided.

(e) The person requesting the memorial shall be responsible for the cost of procuring and installing the memorial and associated permits at a time set by the director.

(f) Should there be any ground disturbance associated with the installation of memorials, the person requesting the memorial shall consult with and obtain approval from the division of historical resources, the natural heritage bureau, and any other required state agency review.

(g) The department shall retain its authority to remove a memorial that is significantly damaged by vandalism, weather, or other causes so as to become a public safety concern.

Source. #14055 EMERGENCY, EXPIRED: 2-15-25

New. #14291, eff 6-25-25, EXPIRES: 6-25-35

REVISION NOTE:

The Department of Natural and Cultural Resources (Ncr) was established under RSA 12-A:1 and the Department of Resources and Economic Development (DRED) abolished, pursuant to 2017, 156:15, effective 7-1-17. Some of the existing rules under DRED, identified by the prefix Res, were transferred to the prefix Ncr.

All filings prior to Document #14292, effective 6-25-25 can be found in the filing history for the Res 7400 rules.

CHAPTER Ncr 740 RESERVED AND PRIVILEGED USE OF DEPARTMENT LANDS, FACILITIES AND RESOURCES

Statutory Authority: RSA 12-A:2-c, I and II (a) and RSA 227-G:4, I.

PART Ncr 741 PURPOSE AND EXCLUSIONS

Ncr 741.01 Purpose. This chapter has been enacted to:

(a) Promote fairness and consistency in authorizing uses of department lands, facilities, and resources;

(b) Promote public health, safety, and welfare, including but not limited to the safety of participants and the public at large;

(c) Manage impacts and prevent degradation to department lands, facilities, and resources;

(d) Manage competing uses of department lands, facilities, and resources, including but not limited to impacts to or degradation of the visitor experience;

(e) Provide a public benefit when allowing exclusive use of department lands, facilities, and resources;

(f) Manage the allocation, cost, and sufficiency of department operational resources, including but not limited to staff labor, sanitation, waste management, traffic control, or parking;

(g) Provide reasonable revenue generation and cost recovery to the state and its citizens pursuant to RSA 216-A:3-g and RSA 227-G:5 from the special or commercial use of public lands, facilities, and resources; and

(h) Protect the state from liability and damages arising from the use of its lands, facilities, and resources.

Source. #14056 EMERGENCY, EXPIRED: 2-15-25

New. #14292, eff 6-25-25, EXPIRES: 6-25-35

Ncr 741.02 Applicability. The provisions of Ncr 740 shall apply to all department of natural and cultural resources (department) properties, and subsequent properties and easements upon acquisition, and facilities, structures, and improvements thereon and to all listed conservation or trail easement properties held by the department to the extent that these provisions apply to the rights granted to the state or the restrictions placed on the property.

Source. #14056 EMERGENCY, EXPIRED: 2-15-25

New. #14292, eff 6-25-25, EXPIRES: 6-25-35

Ncr 741.03 Exclusions. Permission through application shall be required for use of department lands, facilities, and resources, except uses by governmental and quasi-governmental agencies under separate agreement for the use or activity, or uses governed by the following statutes, rules, management plans, and department programs:

- (a) Ncr 731.23, Group Use;
- (b) Ncr 732.03, Camping Permits;
- (c) Ncr 743, Special Use Permits;
- (d) Ncr 744, Group Reservations;
- (e) Ncr 753, Volunteer Applications;
- (f) Permissible uses granted under a property management plan;
- (g) Guiding services that meet all of the following requirements:
 - (1) The activity is conducted outside developed areas of department properties, except that the following uses within developed areas shall not require a special use permit:
 - a. Organizations that serve youths and children, such as but not limited to municipal recreation departments, non-profit, and commercial youth groups and camps, that provide youth-based guiding services that are conducted within developed department areas and qualify under that agency's school group or bus pass program, as established in accordance with the department's fee package pursuant to RSA 216-A:3-g;
 - b. Fishing guides using public boat access facilities located on the below listed department lands and managed under agreement with the department of fish and game, when used for the sole purpose of accessing the body of water:
 - 1. Bedell Bridge state park;
 - 2. Greenfield state park;
 - 3. Pawtuckaway state park; and
 - 4. Wellington state park;
 - (2) The activity is within the normal and routine recreational use of department lands, such as but not limited to hunting, fishing, hiking, birding, nature, canoe, kayak, and climbing guiding; and
 - (3) The activity does not otherwise require a special use permit under Ncr 743.01.

- (h) Programs, events, or activities initiated, sponsored or conducted by the department; and
- (i) Events or activities solely involving the expression of views, such as assemblies, meetings, and demonstrations that:
 - (1) Is not a special use or commercial use listed under Ncr 743.01(a) through (m); and
 - (2) Does not involve such numbers of people that it would overwhelm the specific location and degrade visitor experience, as determined by the department.

Source. #14056 EMERGENCY, EXPIRED: 2-15-25

New. #14292, eff 6-25-25, EXPIRES: 6-25-35

PART Ncr 742 DEFINITIONS

Ncr 742.01 Definitions.

(a) “Developed” means those lands, facilities, and resources that have improvements where staff or services are provided or fees are charged, such as but not limited to lawns and fields maintained by regular mowing, picnic areas, pavilions, group use areas, playgrounds, play areas, athletic fields, bathhouses, toilet buildings, park stores, visitors centers, educational facilities, administrative facilities, maintenance facilities, dwellings, camps, cabins, yurts, campsites and campgrounds, beaches, boat launches, and roadways, trails, and parking areas directly within or directly associated with developed areas.

(b) “Department lands, facilities, and resources” means those lands, facilities, and resources under jurisdiction of the department or rights granted by third parties held by the department, including but not limited to historical, cultural, and natural resources such as water bodies, geology, vegetation, and soil, and improvements such as facilities, structures, roads, trails, and landscaping.

(c) “Commercial use” means any use, activity, or event in which any of the following occur:

- (1) Income is derived from use of department lands, facilities, and resources, directly or indirectly, regardless of the intent to produce a profit, as determined by the department;
- (2) Attendees, participants, or guests are charged a fee by the individual, business, group or organization;
- (3) The sale, promotion, exchange, or demonstration of goods or services;
- (4) Canvassing or soliciting, excepting the use of a vehicle, boat, or clothing permanently affixed with a commercial logo or insignia; or
- (5) Fundraising or membership drives, even if for a non-profit or charity organization.

(d) “Degradation of the visitor experience” means the event, activity, or use disrupts traditional public park use or unduly inconveniences abutting landowners or the general public and causes or might cause any of the following conditions:

- (1) Impose on or conflict with the use of department lands, facilities, and resources by the public at large;
- (2) Excessive noise so as to deny others their right to quiet enjoyment of their recreational use of department lands, facilities, and resources; or
- (3) Multiple complaints from other visitors or parties.

(e) “Special use” means any event, activity, or use that is beyond the normal or routine recreational use of a specific department property or an event, activity, or use requiring a permit under Ncr 743.01

Source. #14056 EMERGENCY, EXPIRED: 2-15-25

New. #14292, eff 6-25-25, EXPIRES: 6-25-35

PART Ncr 743 RULES RELATING TO SPECIAL USE PERMITS

Ncr 743.01 Special Use Permit Required. Except for Ncr 741.03, a permit shall be required for any special use or commercial use of a department land, facility, or resource, including the following uses:

- (a) The reserved or rental use of a property, unless provided for under group reservations in Ncr 744;
- (b) Any organized event or use which shall occur beyond the regular operating season or outside the regular operating hours of a specific property or at an unstaffed property, unless provided for under group reservations in Ncr 744;
- (c) Hosting an event or activity in which the general public is invited;
- (d) Any commercial or service-based use by individuals, businesses, groups, or organizations, regardless of the intent to produce a profit, including but not limited to fundraising and charity events, guide and other recreation- or environmental-based services, education, training, and classes, unless excluded in Ncr 741.03(n);
- (e) Any event, activity, or use where a third party is contracted to provide products or services, including food or alcohol served by or to third parties, or entertainment, unless provided for under group reservations in Ncr 744;
- (f) Any event, activity, or use that require the addition of equipment or structures onsite, including but not limited to party tents, tables, and chairs, amplified musical equipment, generators, and portable lighting, bounce houses, portable climbing walls, dunk tanks, live animals, wildlife nesting, or viewing platforms, cameras, recording devices, or communications equipment, unless provided for under group reservations in Ncr 744;
- (g) Conducting research, collecting information or data, a pilot, test, or proof-of-concept program or project;
- (h) Filming, photography, or recording activities intended for commercial use and conducted by commercial or professional filming, photography, and recording studios, companies, and businesses;
- (i) Military exercises;
- (j) Any event, activity, or use that is otherwise prohibited within a department property, such as but not limited to, access to otherwise restricted areas or where alcohol will be present where normally prohibited, unless provided for under group reservations in Ncr 744;
- (k) Any event, activity, or use that requires prior approval from the department, such as but not limited to trail maintenance or cutting vegetation for scenic views;
- (l) Any event, activity, or use that requires department staff to provide services or assistance beyond their normal or routine duties, operations, or hours, unless provided for under group reservations in Ncr 744;
- (m) Any event, activity, or use that is beyond the normal or routine recreational use of a specific department property as determined by the department, except as is provided for under exclusions in Ncr 741.03; and

(n) Events, activities, or use solely involving the expression of views, such as assemblies, meetings, and demonstrations that is not a special use or commercial use listed under Ncr 743.01(a) through (m), but involves such numbers of people that it would overwhelm the specific location and degrade the visitor experience as determined by the department.

Source. #14056 EMERGENCY, EXPIRED: 2-15-25

New. #14292, eff 6-25-25, EXPIRES: 6-25-35

Ncr 743.02 Application for Special Use Permit.

(a) At least 60 days prior to the proposed event, activity or use, hereinafter referred to as “use,” requiring a special use permit, an individual, business, organization, or group, hereinafter referred to as the “applicant,” shall apply for a special use permit by completing and submitting a “NH State Parks Special Use Permit Application, Version 1.0,” (June 2025).

(b) Where the proposed use is noncommercial activities solely involving the expression of views under Ncr 743.01(n) occasioned by events coming into public knowledge within one month prior to the planned event, the applicant shall apply for a special use permit at least 72 hours prior to an event.

(c) An applicant shall supply the following information:

- (1) Name, address, day-time telephone number, and email address of the individual, or in the case of group use, the name of the organization and the name, address, and day-time telephone number of the contact person for the organization;
- (2) Name of the department property and the facility or area within the property where the proposed use is requested to be held;
- (3) The following information about the proposed use:
 - a. Name, type of use, and brief description of the use;
 - b. Proposed activities, programs, services, music, and entertainment;
 - c. Number of staff, employees, and volunteers that will be onsite;
 - d. Number of guests, participants, and spectators;
 - e. Date(s) and beginning and ending time(s) of the use including setup and dismantling;
 - f. Any equipment or third-party vendors or contractors that will be brought onsite; and
 - g. Any fees charged, including but not limited to entry or participant fees, food, and beverage service, products, or goods for purchase, services offered, or requests for donations;
 - h. Event website or social media page;
- (4) Any additional needs or special considerations, such as but not limited to access to otherwise restricted areas, access to utility services such as electrical, phone, and water, the need for department staff assistance, additional waste and sanitation management, traffic control, or additional parking;
- (5) The need for law enforcement and emergency medical response services onsite;

(6) Whether alcohol will be served at the event, and if so, whether by licensed bartender or caterer; and

(7) Whether direct or indirect income, regardless of the intent to make a profit, will be derived from the use of the department land, facilities, and resources. When revenue is generated an income and expense report with a comparison of gross revenue versus net revenue shall be required within 60 days following the use and submitted to the department.

(d) All information submitted with and on the application shall be legible.

(e) General liability insurance coverage shall be required from the applicant so as to reasonably protect the state against actions and claims arising from the use. The amount of liability insurance coverage shall be determined by the department based upon the type, extent, and risk to persons and property associated with the use, but shall not exceed the limits on actions and claims against the state pursuant to RSA 541-B:14.

(f) The applicant shall include a copy of the following:

(1) A certificate of insurance as proof of liability insurance coverage that:

- a. Is valid for the duration of the use, including setup and dismantling;
- b. Provides coverage for all in attendance, including but not limited to the staff, employees, volunteers, guests, participants, and spectators;
- c. Lists the applicant or organization as the insured;
- d. Lists the state of New Hampshire as a certificate holder and as an additional insured; and
- e. Provides proof of Host Liquor Liability Insurance coverage when alcohol is being served.

(g) General liability insurance coverage shall not be required for use solely involving the expression of views that is not a special use or commercial use listed under Ncr 743.01(a) through (m).

(h) The applicant shall:

(1) Sign and date the application;

(2) Certify by the applicant's signature agreement to:

- a. The use of the department lands, facilities, and resources, and specified areas as required under Ncr 746 and as stated in the permit;
- b. Fulfill all requirements requested by the department, including but not limited to any conditions, stipulations, or restrictions of the permit, the final payment of fees and the submission of any required information, documents, or reports; and
- c. The information provided is complete and accurate, and no willful misrepresentations or omissions are made;

(3) Agree to indemnify and hold harmless the state with respect to liability for bodily injury or property damage caused in whole, or in part, by the applicant's acts or omissions, or the acts or omissions of those within the applicant's party, or the acts or omissions of those acting on the applicant's behalf, to the extent RSA 99-D:1 and 2 do not apply; and

(4) Obtain any and all federal, state, or local permits and licenses, if applicable.

(i) The applicant shall include a non-refundable administrative fee, as established in accordance with the department's fee package pursuant to RSA 216-A:3-g and RSA 227-H:9, unless the permit application is denied by the division and the administrative fee is refunded. If payment is by check or money order it shall be made payable to "Treasurer, State of New Hampshire;" except that an administrative fee shall not be required for use solely involving the expression of views that is not a special use or commercial use listed under Ncr 743.01(a) through (m), however the applicant shall pay all other fees generally charged to the public such as day-use and parking fees.

(j) The applicant shall include a non-refundable expedite fee, as established in accordance with the department's fee package pursuant to RSA 216-A:3-g and RSA 227-H:9, if the permit application is submitted less than 60 days prior to the event, and unless the permit application is denied by the division and the expedite fee is refunded. If payment is by check or money order it shall be made payable to "Treasurer, State of New Hampshire."

(k) The applicant shall pay all other applicable fees in the manner contracted, including but not limited to an event fee, which shall be based upon such considerations as but not limited to day use fees, parking fees, cost recovery, fair market value, number of guests, participants, or spectators, revenue generated, and date and time of the event.

(l) The applicant shall mail, hand-deliver, or submit online if such online service is available, the completed application, fees, and attachment(s) to the department authority or as appropriate to the following:

Department of Natural and Cultural Resources
Division of Forests and Lands or Division of Parks and Recreation
Special Use Permit Program
172 Pembroke Road
Concord, NH 03301

(m) Applications received less than 30 days prior to the first date of the event held on department property shall automatically be denied a permit.

Source. #14056 EMERGENCY, EXPIRED: 2-15-25

New. #14292, eff 6-25-25, EXPIRES: 6-25-35

Ncr 743.03 Application for Filming Special Use Permit.

(a) At least 30 days prior to filming, hereinafter referred to as "use," requiring a filming special use permit, an individual, business, organization, or group, hereinafter referred to as the "applicant," shall apply for a filming special use permit, hereinafter referred to as "film permit," by completing and submitting a "2025 Filming Permit Application," (June 2025).

(b) Where the proposed use includes the use of an unmanned aircraft system (UAS or drone), the applicant shall also complete the "Unmanned Aircraft System (UAS) Questionnaire," (June 2025) and, by their signature, attest to abide by all FAA, state, and local regulations.

(c) An applicant shall supply the following information:

(1) Name, address, day-time telephone number, and email address of the individual, or in the case of group use, the name of the organization and the name, address, and day-time telephone number of the contact person for the organization;

- (2) Name of the department property and the facility or area within the property where the proposed use is requested to be held;
 - (3) The following information about the proposed use:
 - a. Name, type of use, and brief description of the use;
 - b. Proposed activities, programs, services, music, and entertainment;
 - c. Number of staff, employees, and volunteers that will be onsite;
 - d. Number of guests, participants, models, and spectators;
 - e. Any animals that will be onsite;
 - f. Date(s) and beginning and ending time(s) of the use including setup and dismantling;
 - g. Any equipment, props, or third-party vendors or contractors that will be brought onsite; and
 - h. Any fees charged, including but not limited to entry or participant fees, food and beverage service, products or goods for purchase, services offered, or requests for donations;
 - (4) Any additional needs or special considerations, such as but not limited to access to otherwise restricted areas, access to utility services such as electrical, phone, and water, the need for department staff assistance, additional waste and sanitation management, traffic control, or additional parking;
 - (5) The need for law enforcement and emergency medical response services onsite; and
 - (6) A detailed description of the filming activity including plot and equipment used.
- (d) All information submitted with and on the application shall be legible.
- (e) General liability insurance coverage shall be required from the applicant or organization so as to reasonably protect the state against actions and claims arising from the use. The amount of liability insurance coverage shall be determined by the department based upon the type, extent, and risk to persons and property associated with the use, but shall not exceed the limits on actions and claims against the state pursuant to RSA 541-B:14.
- (f) The applicant shall include a copy of the following:
- (1) A certificate of insurance as proof of liability insurance coverage that:
 - a. Is valid for the duration of the use, including setup and dismantling;
 - b. Provides coverage for all in attendance, including but not limited to the staff, employees, volunteers, guests, participants, and spectators;
 - c. Lists the applicant as the insured; and
 - d. Lists the state of New Hampshire as a certificate holder and as an additional insured as required by the department, if applicable;
- (g) The applicant shall:
- (1) Sign and date the application;

- (2) Certify by the applicant's signature agreement to:
- a. The use of the department lands, facilities, and resources, and specified areas as required under Ncr 746 and as stated in the permit;
 - b. Fulfill all requirements requested by the department, including but not limited to any conditions, stipulations, or restrictions of the permit, the final payment of fees and the submission of any required information, documents, or reports; and
 - c. The information provided is complete and accurate, and no willful misrepresentations or omissions are made;
- (3) Agree to indemnify and hold harmless the state with respect to liability for bodily injury or property damage caused in whole, or in part, by the applicant's acts or omissions, or the acts or omissions of those within the applicant's party, or the acts or omissions of those acting on the applicant's behalf, to the extent RSA 99-D:1 and 2 do not apply; and
- (4) Obtain any and all federal, state, or local permits and licenses, if applicable.

(h) The applicant shall include a non-refundable administrative fee, as established in accordance with the department's fee package pursuant to RSA 216-A:3-g and RSA 227-H:9, unless the permit application is denied by the division and the administrative fee is refunded. If payment is by check or money order it shall be made payable to "Treasurer, State of New Hampshire;" except that an administrative fee shall not be required for use solely involving the expression of views that is not a special use or commercial use listed under Ncr 743.01(a) through (m), however the applicant shall pay all other fees generally charged to the public such as day-use and parking fees.

(i) The applicant shall include a non-refundable expedite fee, as established in accordance with the department's fee package pursuant to RSA 216-A:3-g and RSA 227-H:9, if the permit application is submitted less than 30 days prior to the event, and unless the permit application is denied by the division and the expedite fee is refunded. If payment is by check or money order it shall be made payable to "Treasurer, State of New Hampshire."

(j) The applicant shall pay all other applicable fees in the manner contracted, including but not limited to an event fee, which shall be based upon such considerations as but not limited to day use fees, parking fees, cost recovery, fair market value, number of guests, participants or spectators, revenue generated, and date and time of the event.

(k) The applicant shall mail, hand-deliver, or submit online if such online service is available, the completed application, fees, and attachment(s) to the department authority or as appropriate to the following:

Department Natural and Cultural Resources
 Division of Forests and Lands or Division of Parks and Recreation
 Special Use Permit Program
 172 Pembroke Road
 Concord, NH 03301

(l) Film permit applications received less than 10 days prior to the first date of the event held on department property shall automatically be denied a permit.

Source. #14056 EMERGENCY, EXPIRED: 2-15-25

New. #14292, eff 6-25-25, EXPIRES: 6-25-35

PART Ncr 744 RULES RELATING TO GROUP RESERVATIONS OF CERTAIN DEPARTMENT FACILITIES

Ncr 744.01 Group Reservation Required. Except for uses requiring a special use permit under Ncr 743.01 or excluded under Ncr 741.03, any reserved or exclusive use of department lands, facilities, and resources, such as but not limited to pavilions, group use areas, the Hampton Beach Seashell, and associated function areas, and trails, used for private parties, gatherings, meetings, and activities, shall require advance reservation.

Source. #14056 EMERGENCY, EXPIRED: 2-15-25

New. #14292, eff 6-25-25, EXPIRES: 6-25-35

Ncr 744.02 Request For Group Reservation.

(a) At least 30 days prior to an event requiring a group reservation, an individual, business, organization, or group, herein after referred to as the “applicant,” shall complete a “Group Use Reservation Request,” (June 2025) or contact the department authority directly.

(b) Where the proposed group reservation is noncommercial activities solely involving the expression of views occasioned by events coming into public knowledge within one month prior to the planned event, an applicant shall request to book a group reservation at least 72 hours prior to the event.

(c) An applicant shall supply the following information:

(1) Name, address, day-time telephone number, and email address of the individual, or in the case of group use, the name of organization and the name, address, and day-time telephone number of the contact person for the organization;

(2) Name of the department property and the facility or group use area within the property where the event is requested to be held;

(3) The following information about the proposed event:

a. Type of event and brief description of the event;

b. Proposed activities, programs, services, music, and entertainment;

c. Number of guests, participants, and attendees;

d. Date(s) and beginning and ending time(s) of the event, including setup and dismantling; and

e. Any equipment, tents, or third-party vendors or contractors that will be brought onsite;

(4) Any additional needs or special considerations, such as but not limited to style set-up of the function space, access to utility services such as electrical, phone, and water, traffic control, police detail, or additional parking; and

(5) Whether alcohol will be served at the event, and if so, whether by licensed bartender or caterer. If alcohol will be served, provide proof of a valid Host Liquor Liability Insurance in amounts not exceed the limits on actions and claims pursuant to RSA 541-B:14.

(d) All information submitted with and on the application shall be legible.

(e) General liability insurance coverage shall be required from all third-party vendors so as to reasonably protect the state against actions and claims arising from the event. The amount of liability

insurance coverage shall be determined by the department based upon the type, extent, and risk to persons and property associated with the event, but shall not exceed the limits on actions and claims against the state pursuant to RSA 541-B:14.

(f) Should the applicant hire third-party vendors, such as but not limited to a tent rental company, rental of tables and chairs, caterers and bartenders, and DJs and bands, the applicant shall include the following:

- (1) Name and phone number of the third-party vendor; and
- (2) A certificate of insurance as proof of liability insurance coverage held by the third-party vendor, valid on the date of the event, and listing the vendor as the insured.

(g) The applicant shall:

- (1) Sign and date the group reservation form for group reservations that occur at the seacoast facilities;
- (2) Certify by the applicant's signature or by selecting the online reservation confirmation check-box, their agreement to:
 - a. The use of the department lands, facilities, and resources, and specified areas as required under Ncr 746 and as stated in the group reservation form;
 - b. Fulfill all requirements requested by the department, including but not limited to any conditions, stipulations, or restrictions of the group reservation form, the final payment of fees, and the submission of any required information; and
 - c. The information provided as complete and accurate, and no willful misrepresentations or omissions are made;
- (3) Agree to indemnify and hold harmless the state with respect to liability for bodily injury or property damage caused in whole, or in part, by the applicant's acts or omissions, or the acts or omissions of those within the applicant's party, or the acts or omissions of those acting on the applicant's behalf, to the extent RSA 99-D:1 and 2 do not apply; and
- (4) Obtain any and all federal or state permits and licenses, if applicable.

(h) The applicant shall include a reservation and rental fee, as established in accordance with the department's fee package pursuant to RSA 216-A:3-g. If payment is by check or money order it shall be made payable to "Treasurer, State of New Hampshire." For events solely involving the expression of views, the applicant shall pay all fees generally charged to the public such as but not limited to day-use fees, reservation and rental fees, and parking fees.

(i) The applicant shall mail, hand-deliver, or submit online if such online service is available, the completed group reservation request, fees, and attachment(s) to the appropriate department authority of the department property at which the applicant wishes to reserve a facility.

Source. #14056 EMERGENCY, EXPIRED: 2-15-25

New. #14292, eff 6-25-25, EXPIRES: 6-25-35

PART Ncr 745 REVIEW OF APPLICATIONS FOR RESERVED AND PRIVILEGED USE OF DEPARTMENT LANDS, FACILITIES, AND RESOURCES

Ncr 745.01 Department Authority.

(a) The director of forest and lands or the director of parks and recreation, or both, or their respective assignees, shall review and approve special use permit applications and group reservation requests that are within their respective jurisdictions pursuant to Ncr 740.

(b) For purposes of this part, an “application” means an application for a special use permit, as is required under this chapter.

(c) A “request” means a request for a group reservation, as is required under this chapter.

(d) An “agreement” means either:

- (1) A special use permit;
- (2) A group reservation form;
- (3) A rental agreement; or
- (4) A facility use agreement, as is applicable under this chapter.

(e) A group reservation form, rental agreement, and facility use agreement shall collectively be referred to as “group reservation form,” under this chapter.

Source. #14056 EMERGENCY, EXPIRED: 2-15-25

New. #14292, eff 6-25-25, EXPIRES: 6-25-35

Ncr 745.02 Review of Applications and Requests.

(a) The applicable department authority shall approve an application or request for reserved or privileged use of DNCR lands, facilities, and resources if:

- (1) The application or group reservation form is signed and complete;
- (2) The applicant has complied with the requirements of Ncr 743.02 or Ncr 744.02, whichever shall apply;
- (3) The application or request was received in the time required; and
- (4) The application or request includes all documents necessary at the time of application or request submission, such as but not limited to proof of liability insurance and payment of applicable fees.

(b) Notwithstanding (a) above, the application or request shall be denied if one or more of the following circumstances are present, as determined by the applicable department authority:

- (1) The proposed use or activity violates deed restrictions or is inconsistent with department management purposes for the specific department lands, facilities, and resources, as determined by the department;
- (2) The location sought is not suitable because the proposed use or activity would materially impact the characteristics or functions of department lands, facilities, and resources;
- (3) The location sought is not suitable because department lands, facilities, and resources are reasonably likely to be harmed by the proposed use or activity;
- (4) The proposed use or activity is prohibited by federal or state law unrelated to the content of expressive activity;

- (5) The proposed use or activity violates state public health laws and rules as applied to the proposed site;
- (6) The proposed use or activity will pose a danger to public health, safety, and welfare;
- (7) The location sought is not suitable because the proposed use or activity is of such nature or duration that it cannot reasonably be accommodated in that location;
- (8) The proposed use or activity will delay, halt, impact, or prevent administrative use of an area by department or other scheduled or existing uses;
- (9) The date and time requested have previously been allotted by special use permit or group reservation, or other contract or agreement;
- (10) Within the preceding 2 years, the applicant has been granted a reservation or privileged use or other agreement and did, on that prior occasion, knowingly violate a material term or condition of the permit or agreement, or any law, ordinance statute or regulation relating to use of the department lands, facilities, or resources;
- (11) The proposed use or activity would unreasonably cause or contribute to the degradation of the visitor experience; or
- (12) The proposed use or activity involves military or paramilitary training or exercises by private organizations or individuals.

(c) If the department authority approves an application or request for reserved or privileged use pursuant to Ncr 745.02(a) above, the department authority shall forward to the applicant one completely executed copy of the special use permit or group reservation form.

(d) If the department authority does not approve an application or request for reserved or privileged use pursuant to Ncr 745.02(b) above, the department authority shall notify the applicant in writing, citing the specific grounds contained within Ncr 745.02(b) above for the denial.

(e) An applicant whose application or request is denied pursuant to Ncr 745.02(b) above, may appeal to the commissioner within 5 business days of receipt of the denial, citing all reasons the denial was inappropriate. Upon receipt of the appeal, the commissioner shall notify the applicant, in writing, of the commissioner's decision within 48 hours, citing any denial to the grounds contained within Ncr 745.02(b) above.

Source. #14056 EMERGENCY, EXPIRED: 2-15-25

New. #14292, eff 6-25-25, EXPIRES: 6-25-35

PART Ncr 746 USE OF DEPARTMENT LANDS, FACILITIES, AND RESOURCES

Ncr 746.01 Use of Department Lands, Facilities, and Resources Granted Under Chapter 740.

(a) For purposes of this part, an "agreement" means a special use permit, group reservation form, rental agreement, or facility use agreement, as is applicable under this chapter.

(b) Only the buildings, facilities, specified areas, or resources of the department lands identified in the agreement shall be used for the approved use or activity.

(c) Hours of the use or activity shall be limited to the time authorized by the agreement.

(d) The individual or group identified by the agreement shall comply with all the conditions of the agreement.

(e) For verification purposes, a copy of the agreement shall be presented to the manager or other department authority on the day of the scheduled use or activity.

(f) The use or activity, while engaged or executed, shall not unreasonably cause or contribute to the degradation of the visitor experience, as determined by the department authority.

(g) The use or activity, while engaged or executed, shall not cause environmental or property damage to department lands, facilities, and resources, as determined by the department authority.

(h) Onsite signs, postings, decorations, and setup for the use or activity shall be appropriate for a family-friendly park and forest environment, subject to the approval of the onsite manager or other department authority.

(i) Attendees and participants shall park in areas designated by department authority.

(j) All buildings, facilities, specified areas, or resources used for the approved use or activity shall be restored by the individual or group identified by the agreement to the same condition in which it was originally found, including the removal of all signs, postings, decorations, equipment and structures, and trash.

(k) Supervision of the use or activity shall be the responsibility of the individual or group identified by the agreement.

Source. #14056 EMERGENCY, EXPIRED: 2-15-25

New. #14292, eff 6-25-25, EXPIRES: 6-25-35

PART Ncr 747 SUSPENSION OF RESERVED AND PRIVILEGED USE OF DEPARTMENT LANDS, FACILITIES, AND RESOURCES

Ncr 747.01 Suspension of Use of Department Lands, Facilities, and Resources Granted Under Chapter 740.

(a) For purposes of this part, an “agreement” means a special use permit, group reservation_form, rental agreement, or facility use agreement, as is applicable under this chapter.

(b) At any time, a department authority shall immediately suspend the agreement pursuant to RSA 541-A:30, III, and shall evict the person, group, organization, company, or contracted party, should any of the following occur, as determined by the department authority:

- (1) Causing environmental or property damage;
- (2) Causing damage to department lands, facilities, or resources;
- (3) Endangering public health, safety, or welfare;
- (4) Unreasonably causing or contributing to the degradation of the visitor experience; or
- (5) Violating the terms or conditions of the agreement.

(c) Any person, group, or organization evicted from the property pursuant to the above, shall not receive a refund of department-related daily fees, including but not limited to, admission, parking, permit, or enterprise function fee, except for a portion of camping rental fees as allowed by RSA 216-I:6.

(d) Any person or organization evicted from the property pursuant to the above, shall not receive a refund of the unused portion of a season pass or seasonal or multi-year special use permit pending an adjudicative proceeding pursuant to RSA 541-A:30, III.

Source. #14056 EMERGENCY, EXPIRED: 2-15-25

New. #14292, eff 6-25-25, EXPIRES: 6-25-35

CHAPTER Ncr 750 VOLUNTEER PROGRAMS

Statutory Authority: RSA 12-A:2-c, I and II (a), RSA 216-A:3-1, and RSA 227-G:4, I.

PART Ncr 751 PURPOSE AND EXCLUSIONS.

Ncr 751.01 Applicability. The provisions of Ncr 750 shall apply to all department of natural and cultural resources (department) properties, and subsequent properties and easements upon acquisition, and facilities, structures, and improvements thereon and to all listed conservation or trail easement properties held by the department to the extent that these provisions apply to the rights granted to the state or the restrictions placed on the property.

Source. #14312, eff 7-10-25, EXPIRES: 7-10-35

Ncr 751.02 Purpose. This chapter has been enacted to:

- (a) Promote fairness and consistency in authorizing volunteer activities on department lands, facilities, and resources;
- (b) Promote natural, cultural, and historical resource protection and stewardship of department lands, facilities, and resources;
- (c) Manage impacts and prevent degradation to department lands, facilities, and resources;
- (d) Manage competing uses of department lands, facilities, and resources, including but not limited to impacts to or degradation of the visitor experience;
- (e) Provide a public benefit when allowing exclusive or privileged use of department lands, facilities, and resources;
- (f) Manage the allocation, cost, and sufficiency of department operational resources, including but not limited to staff labor, materials, and training; and
- (g) Protect the state from liability and damages arising from the use of its lands, facilities, and resources.

Source. #14312, eff 7-10-25, EXPIRES: 7-10-35

Ncr 751.03 Exclusions. Permission through application shall be required for conducting volunteer activities on department lands, facilities, and resources, except uses by governmental and quasi-governmental agencies under separate agreement for the use or activity, or uses governed by the following statutes, rules, management plans, and department programs as follows:

- (a) Ncr 743, for special use permits;
- (b) RSA 216-A:3, for agreements with other state agencies, the federal government, municipalities, or other public and private agencies;
- (c) RSA 227-H:9, for the leasing of privileges and concessions;
- (d) Permissible uses granted under a property management plan; and
- (e) Programs, events, or activities initiated, sponsored, or conducted by the department.

Source. #14312, eff 7-10-25, EXPIRES: 7-10-35

PART Ncr 752 DEFINITIONS

Ncr 752.01 Definitions.

(a) “Developed” means those lands, facilities, and resources that have improvements where staff or services are provided or fees are charged, such as but not limited to lawns and fields maintained by regular mowing, picnic areas, pavilions, group use areas, playgrounds, play areas, athletic fields, bathhouses, toilet buildings, park stores, visitors centers, educational facilities, administrative facilities, maintenance facilities, dwellings, camps, cabins, yurts, campsites and campgrounds, beaches, boat launches, and roadways, trails, and parking areas directly within or directly associated with developed areas.

(b) “Department lands, facilities, and resources” means those lands, facilities, and resources under jurisdiction of the department or rights granted by third parties held by the department, including but not limited to historical, cultural, and natural resources such as water bodies, geology, vegetation, and soil, and improvements such as facilities, structures, roads, trails, and landscaping.

(c) “Commercial use” means any use, activity, or event in which any of the following occur:

- (1) Income is derived from use of department lands, facilities, and resources, directly or indirectly, regardless of the intent to produce a profit;
- (2) Attendees, participants, or guests are charged a fee by the individual, business, group, or organization;
- (3) The sale, promotion, exchange, or demonstration of goods or services;
- (4) Canvassing or soliciting, excepting the use of a vehicle, boat, or clothing permanently affixed with a commercial logo or insignia; or
- (5) Fundraising or membership drives, even if for a non-profit or charity organization.

(d) “Degradation of the visitor experience” means the event, activity, or use disrupts traditional public park use or unduly inconveniences abutting landowners or the general public and causes or might cause any of the following conditions:

- (1) Impose on or conflict with the use of department lands, facilities, and resources by the public at large;
- (2) Excessive noise so as to deny others their right to quiet enjoyment of their recreational use of department lands, facilities, and resources; or
- (3) Multiple complaints from other visitors or parties.

(e) “Long-term volunteers” means an individual or group that conducts volunteer activities or work on a recurring basis, and who have the skillset and experience to work independently.

(f) “Nonprofit organization” means a not for profit organization, corporation, community chest, fund, or foundation organized and operated exclusively for religious, cultural, charitable, scientific, recreational, literary, agricultural, or educational purposes, or to foster amateur competition in a sport formally recognized by the National Collegiate Athletic Association, and an organization exempt from taxation under section 501(c) of the Internal Revenue Code of 1986 organized or incorporated in this state or having a principal place of business in this state.

(g) “Single-day volunteers” means an individual or group that conducts volunteer activities or work on a non-recurring basis, including but not limited to single-day or short-term projects with a clearly

defined end date.

(h) “Special use” means any event, activity, or use that is beyond the normal or routine recreational use of a specific department property or an event, activity, or use requiring a permit under Ncr 743.01.

(i) “Volunteer” means an individual who performs hours of service for a public agency for civic, charitable, or humanitarian reasons, without promise, expectation, or receipt of compensation for services rendered. Individuals are volunteers when their services are offered freely and without pressure or coercion, direct or implied, from an employer. An individual is not a volunteer if the individual is employed by the department to perform the same type of services as those for which the individual proposes to volunteer.

Source. #14312, eff 7-10-25, EXPIRES: 7-10-35

PART Ncr 753 RULES RELATING TO VOLUNTEER APPLICATIONS

Ncr 753.01 Volunteer Application Required. Except for Ncr 751.03, an application shall be required for any individual or organization, such as a group of individuals, a business, public or private entity, that wishes to become a volunteer recognized by the department to conduct volunteer activities or work on department lands, facilities or resources. Individuals shall use the “Individual Volunteer Application” form (June 2025). Organizations shall use the “Group Volunteer Application” form (June 2025).

Source. #14312, eff 7-10-25, EXPIRES: 7-10-35

Ncr 753.02 Volunteer Applications.

(a) An applicant shall supply the following information:

- (1) Name, mailing address, day-time telephone number, and email address of the individual, or in the case of a group, the name of the organization and the name, mailing address, website address, if applicable, day-time telephone number, and email address of the group leader of the organization;
- (2) Name of the department property and the facility or area within the property where the applicant proposes to conduct the volunteer activity or work;
- (3) The following information about the proposed volunteer activity or work:
 - a. Description of the volunteer services offered;
 - b. The resources the applicant has readily available to accomplish the proposed services, such as the number of individual volunteers, materials, equipment, or funds;
 - c. Date(s) and time the applicant is available to conduct the activity or work;
 - d. That the applicant is over the age of 18;
 - e. An explanation, if part of a court mandated or other obligation for voluntary service;
 - f. If the applicant has ever been convicted of a felony that has not been officially annulled by a court, the date, location, including the court, and nature of the felony conviction; and
 - g. The name and contact information of 2 references.

(4) If the applicant is applying on behalf of an organization, the following information shall be required in addition to Ncr 753.02 (a):

- a. The number of individual volunteers assisting with the activities or work;

- b. If a business, is the organization registered with the New Hampshire secretary of state pursuant to RSA 349:1, and, if so, whether the organization is in good standing;
 - c. If a charitable organization, as defined in RSA 7:21, II, (b), whether the organization registered with the New Hampshire department of justice, charitable trusts unit pursuant to Jus 402.01;
 - d. Describe any food or beverages, or both, including alcohol, that will be served or items that will be offered to participants during the activities or work;
 - e. Describe any fundraising or solicitation activities that will occur;
 - f. Describe any proposed activities that are otherwise prohibited under Ncr 730;
 - g. Describe any additional needs or special considerations, such as but not limited to access to otherwise restricted areas, access to utility services such as electrical, water, or communications lines, the need for department staff assistance, additional waste and sanitation management, traffic control, or additional parking; and
 - h. Describe any volunteer activities or work that shall occur offsite of department properties;
- (5) Indication of coverage of general liability insurance coverage as applicable to protect the state against actions and claims arising from the volunteer activities or work; and.
- (6) If anyone in the group has ever been convicted of a felony that has not been officially annulled by a court, the date, location, including the court, and nature of the felony conviction.
- (b) Information on the application shall be legible.
- (c) The applicant shall sign and date the application to certify:
- (1) That the information provided as complete and accurate, and no willful misrepresentations or omissions are made; and
 - (2) That the applicant agrees to indemnify and hold harmless the state with respect to liability for bodily injury or property damage caused in whole, or in part, by the applicant's acts or omissions, or the acts or omissions of those within the applicant's party, or the acts or omissions of those acting on the applicant's behalf, to the extent RSA 99-D:1 and 2 do not apply.
- (d) The applicant shall mail, hand-deliver, or submit online if such online service is available, the completed application to:

Department of Natural and Cultural Resources
 Division of Parks and Recreation
 Volunteer Programs
 172 Pembroke Road
 Concord, NH 03301
DNCR.Volunteer@dncr.nh.gov

Source. #14312, eff 7-10-25, EXPIRES: 7-10-35

Ncr 753.03 Approval of Volunteer Applications.

- (a) The director of the respective department division, or their assignees, shall be authorized to review and approve volunteer applications that are within their respective jurisdiction of land administration

and operations.

(b) The department authority shall review and make its decision on the volunteer application within 30 days.

(c) The department authority shall approve a volunteer application if the conditions set forth herein are met:

(1) The application form is signed and complete;

(2) The applicant has adequate knowledge, skillset, and experience to safely conduct the proposed volunteer activities or work;

(3) The applicant has the time, materials, and resources to adequately complete the proposed volunteer activities or work;

(4) There is a need for the proposed volunteer activities or work at the location identified in the application; and

(4) The department can provide the necessary supervision or oversight for the proposed volunteer activities or work.

(d) Notwithstanding (c) above, the application shall be denied if one or more of the following circumstances are present:

(1) The proposed use or activity violates deed restrictions or is inconsistent with department management purposes for the specific department lands, facilities, and resources, as determined by the department;

(2) The location sought is not suitable because the proposed use or activity would materially impact the characteristics or functions of department lands, facilities, and resources;

(3) The location sought is not suitable because department lands, facilities, and resources are reasonably likely to be harmed by the proposed use or volunteer activity;

(4) The proposed volunteer activity or work is prohibited by federal or state law unrelated to the content of expressive activity;

(5) The proposed volunteer activity or work violates state public health laws and rules or state personnel laws and rules;

(6) The applicant or an individual within the group, or the proposed volunteer activity or work will pose a danger to public health, safety, and welfare;

(7) The location sought is not suitable because the proposed volunteer activity or work are of such nature or duration that it cannot reasonably be accommodated in that location;

(8) The proposed use or activity will delay, halt, impact, or prevent administrative use of an area by the department or other scheduled or existing uses;

(9) The date and time requested have previously been allotted by special use permit, group reservation, or other contract or agreement;

(10) Within the preceding 2 years, the applicant has been granted a volunteer agreement and did, on that prior occasion, knowingly violate a material term or condition of the agreement, or any law, ordinance, statute or regulation relating to use of the department lands, facilities, or resources; or

(11) The proposed volunteer activity or work would unreasonably cause or contribute to the degradation of the visitor experience.

(e) If the department authority approves a volunteer application, the department authority shall provide written notification of acceptance to the applicant.

(f) If the department authority does not approve a volunteer application, the department authority shall notify the applicant in writing, citing the specific grounds contained within Ncr 753.02 for the denial.

(g) An applicant whose volunteer application is denied pursuant to Ncr 753.02, may appeal to the commissioner within 5 business days of receipt of the denial, citing all reasons the denial was inappropriate. Upon receipt of the appeal, the commissioner shall notify the applicant, in writing of the commissioner's decision within 10 business days, citing any denial to the grounds contained within Ncr 753.02.

Source. #14312, eff 7-10-25, EXPIRES: 7-10-35

PART Ncr 754 RULES RELATING TO VOLUNTEER PROJECTS AND WORK PLANS

Ncr 754.01 Project and Work Plans Required. Long-term volunteer groups approved by the department authority to conduct long-term volunteer activities and work on department properties shall submit an annual work plan to the department.

Source. #14312 eff 7-10-25, EXPIRES: 7-10-35

Ncr 754.02 Annual Work Plan Submission.

(a) Work plans shall be submitted to the department volunteer program manager by February 1 each year for summer projects and by October 1 each year for winter projects.

(b) Volunteers shall solicit input from the department's onsite park, trail or forest manager or supervisor so as to identify the department's project needs and priorities.

(c) Work plans shall contain the following information:

(1) Volunteer group information:

- a. Name of the volunteer group and name of the group leader;
- b. Group leader's phone number and email address;
- c. Name of the department property and locations and facilities where volunteer activities and work will take place; and
- d. Name of the designated department site supervisor, as determined by the department's volunteer manager;

(2) Proposed operations for the upcoming year, including but not limited to the following general operations and activities:

- a. List all project plans and activities, including the use of department land and facilities, and any group-owned structures on department lands;
- b. A schedule of volunteer group meetings;
- c. A schedule of volunteer group activities that will take place on department land;

- d. If applicable, winter grooming projects on non-motorized trails, including:
 1. List of previously approved trail locations that were groomed;
 2. List of proposed trail locations to be groomed;
 3. List of the names of groomer operators;
 4. List of equipment to be used; and
 5. Confirmation that the volunteer group holds an active general liability insurance policy for its grooming activities and its equipment; and
 - e. If there are any unfinished projects or tasks from the previous year, a list of such projects or tasks and plans for completing such projects or tasks in the upcoming year;
- (3) Financial initiatives for the upcoming year, including:
- a. Fees to be charged to third-parties for activities within or use of department land and facilities;
 - b. Sponsors and donations solicited on behalf of and for use of department land and facilities;
 - c. Grants to be used on behalf of and for use on department land, which shall require prior written approval from the department; and
 - d. An explanation of how the use of revenue will support the mutual goals of the volunteer group and the department in the upcoming year;
- (4) A description of any signs, promotions, and advertising to be used onsite or associated with department land, including but not limited to placing or painting blazes on through-trails, an image of the blaze, and the name of trail(s) upon which the signs or blazes will be placed;
- (5) A list of new project proposals that are beyond routine maintenance, such as but not limited to new construction projects that require permitting, installation of structures, and trail improvements outside of the established trail, that requires prior approval from the department and other state agency approvals;
- (6) A list of all programs, events, and fundraisers to be held on department land in the upcoming year, including:
- a. Dates and time of such activities;
 - b. Whether any fees, admission charges or donation requests will be made;
 - c. Who the target audience is;
 - d. Whether food or beverages, including alcohol, will be served;
 - e. Whether third-party vendors will be present; and
 - f. Any other relevant information that will enable the department to determine if a special use permit is required under Ncr 740;
- (d) The following documents shall be submitted with the work plan:

(1) Certificate of insurance with a minimum general liability coverage of \$1,000,000 per occurrence, and \$2,000,000 aggregate, and listing the department as additional insured and as a certificate holder with the following address:

State of New Hampshire
Department of Natural and Cultural Resources
172 Pembroke Road, Concord, NH 03301

(2) For winter grooming activities, a copy of a certificate of insurance showing coverage for the grooming activities and the grooming equipment and a copy of the trail maintenance vehicle registration issued by NH fish and game;

(3) Certificate of good standing from the office of the secretary of state;

(4) Confirmation that the volunteer group is registered with the office of the attorney general charitable trusts unit, if applicable; and

(5) A copy of the volunteer group's roster, including but not limited to a list of its board of directors and a list of all members and regular volunteers.

(e) The work plan shall be dated and signed by the authorized signatory, as defined in the certificate of authority.

(f) The group leader shall mail, hand-deliver, or submit online if such online service is available, the completed work plan to:

Department of Natural and Cultural Resources
Division of Parks and Recreation
Volunteer Programs
172 Pembroke Road
Concord, NH 03301
dncr.volunteer@dncr.nh.gov

Source. #14312, eff 7-10-25, EXPIRES: 7-10-35

Ncr 754.03 Approval of Annual Work Plans.

(a) The director of the respective department division, or their assignees, shall be authorized to review and approve work plans that are within their respective jurisdiction of land administration and operations.

(b) The department authority shall review and make its decision on the work plan within 30 days.

(c) The department authority shall request revisions to the work plan if the plan is incomplete or additional information is needed in order to make a determination. The volunteer group shall comply with the requested revisions and submit a revised work plan within 30 days for review by the department authority.

(d) The department authority shall approve a work plan if the conditions set forth herein are met:

(1) The work plan is signed and complete;

(2) The volunteer group has adequate knowledge, skillset, and experience to safely conduct the proposed work plan;

(3) The volunteer group has the time, materials, and resources to adequately complete the proposed work plan;

(4) There is a need, as determined by the department, for the proposed volunteer activities or work at the location identified in the work plan; and

(5) The department can provide the administration and management support for the proposed work plan.

(e) Notwithstanding (d) above, the work plan shall be denied if one or more of the following circumstances are present, as determined by the department authority:

(1) The proposed work violates deed restrictions or is inconsistent with department management purposes for the specific department lands, facilities, and resources;

(2) The location sought is not suitable because the proposed work would materially impact the characteristics or functions of department lands, facilities, and resources;

(3) The location sought is not suitable because department lands, facilities, and resources are reasonably likely to be harmed by the proposed work;

(4) The proposed work is prohibited by federal or state law unrelated to the content of expressive activity;

(5) The proposed work violates state public health laws and rules or state personnel laws and rules;

(6) The group, or an individual within the group, or the proposed work will pose a danger to public health, safety, and welfare;

(7) The location sought is not suitable because the proposed work is of such nature or duration that it cannot reasonably be accommodated in that location;

(8) The proposed work will delay, halt, impact, or prevent administrative use of an area by department or other scheduled or existing uses;

(9) The date and time requested have previously been allotted by special use permit, group reservation, or other contract or agreement;

(10) Within the preceding 2 years, the volunteer group has been granted a volunteer agreement and did, on that prior occasion, knowingly violate a material term or condition of the agreement, or any law, ordinance, statute, or regulation relating to use of the department lands, facilities, or resources; or

(11) The proposed work would unreasonably cause or contribute to the degradation of the visitor experience.

(f) If the department authority approves a work plan, the department authority shall provide written notification of acceptance to the group leader.

(g) If the department authority does not approve a volunteer application, the department authority shall notify the applicant in writing, citing the specific grounds contained within Ncr 754.03 for the denial.

(h) A volunteer group whose work plan is denied pursuant to Ncr 754.03, may appeal to the commissioner within 5 business days of receipt of the denial, citing all reasons the denial was inappropriate. Upon receipt of the appeal, the commissioner shall notify the volunteer group, in writing, of the commissioner's decision within 10 business days, citing any denial to the grounds contained within Ncr 754.03.

Source. #14312, eff 7-10-25, EXPIRES: 7-10-35

PART Ncr 755 VOLUNTEER REPORTING

Ncr 755.01 Volunteer Reporting Required. To comply with the provisions of Ncr 751.02, individual or group volunteers shall submit the following reports, forms, or other information to the department, when requested:

- (a) The single day volunteer sign in sheet, including the date, the name of all volunteers, the signature of all volunteers, and the phone number or email address of all volunteers;
- (b) The “Youth Volunteer Parental Consent Form,” (June 2025) for volunteers under the age of 18;
 - (1) By their signature, the parent or guardian, on behalf of the youth, shall attest to compliance with the provisions of RSA 508:17 and RSA 216-A:3-h, the volunteer immunity laws; and
 - (2) Are not an employee of the state entitled to certain benefits provided to state employees; and
 - (3) Shall abide by all policies and procedures of the volunteer program; and
 - (4) Agree to accept the risks, hazards, and dangers inherent in carrying out the duties and responsibilities of the volunteer activities; and
 - (5) Agree to release and hold harmless the state against all claims, demands, actions, and causes of action as a result of personal injury, death, or property damage sustained by the volunteer activity; and
 - (6) Agree to give the state permission to use quotes and photos of the youth in promotional materials.
- (c) The volunteer work report, including the date, hours worked, the task(s) completed, the number of adult volunteers, and the number of youth volunteers who worked; and
- (d) Notice of upcoming volunteer activities, which shall be provided to the site supervisor prior to on-site arrival.

Source. #14312, eff 7-10-25, EXPIRES: 7-10-35

PART Ncr 756 USE OF DEPARTMENT LANDS, FACILITIES, AND RESOURCES

Ncr 756.01 Use of Department Lands, Facilities, and Resources Granted Under Chapter 750.

- (a) For purposes of this part, an “agreement” means a volunteer agreement, as is applicable under this chapter.
- (b) Only the buildings, facilities, specified areas, or resources of the department lands identified in the agreement shall be used for the approved use or activity.
- (c) Hours of the use or activity shall be limited to the time authorized by the agreement.
- (d) The individual or group identified by the agreement shall comply with all the conditions of the agreement.
- (e) For verification purposes, a copy of the agreement shall be presented to the manager or other authorized department personnel on the day of the scheduled use or activity.

(f) The use or activity, while engaged or executed, shall not unreasonably cause or contribute to the degradation of the visitor experience, as determined by the authorized department personnel.

(g) The use or activity, while engaged or executed, shall not cause environmental or property damage to department lands, facilities, and resources, as determined by the authorized department personnel.

(h) Onsite signs, postings, decorations, and setup for the use or activity shall be appropriate for a family-friendly park and forest environment, subject to the approval of the onsite manager or other authorized department personnel.

(i) Volunteers, attendees, and participants shall park in areas designated by authorized department personnel.

(j) All buildings, facilities, specified areas, or resources used for the approved use or activity shall be restored by the volunteer or volunteer group identified by the agreement to the same condition in which it was originally found, including the removal of all signs, postings, decorations, equipment and structures, and trash.

(k) Supervision of the use or activity shall be the responsibility of the volunteer group leader identified by the agreement.

(l) Volunteers, attendees, and participants who access and use department properties outside of the volunteer work hours approved by the department shall be considered members of the general public and shall pay all admission, parking, camping, rental, and any other fees charged to the general public.

Source. #14312, eff 7-10-25, EXPIRES: 7-10-35

PART Ncr 757 SUSPENSION AND TERMINATION OF VOLUNTEERS

Ncr 757.01 Suspension of Use of Department Lands, Facilities, and Resources Granted Under Chapter 750.

(a) For purposes of this part, an “agreement” means a volunteer agreement, as is applicable under this chapter.

(b) At any time, an authorized department personnel shall immediately suspend the agreement pursuant to RSA 541-A:30, III, and shall evict the volunteer, volunteer group, organization, company, or contracted party, should any of the following occur, as determined by the authorized department personnel:

- (1) Causing environmental or property damage;
- (2) Causing damage to department lands, facilities, or resources;
- (3) Endangering public health, safety, or welfare;
- (4) Unreasonably causing or contributing to the degradation of the visitor experience; or
- (5) Violating the terms or conditions of the agreement.

(c) Any volunteer, volunteer group, or organization evicted from the property pursuant to the above, shall not receive a refund of department-related daily fees, including but not limited to, volunteer work pass, admission, parking, permit, or enterprise function fee, except for a portion of camping rental fees as allowed by RSA 216-I:6.

Source. #14312, eff 7-10-25, EXPIRES: 7-10-35

REVISION NOTE:

The Department of Natural and Cultural Resources (Ncr) was established under RSA 12-A:1 and the Department of Resources and Economic Development (DRED) abolished, pursuant to 2017, 156:15, effective 7-1-17. Some of the existing rules under DRED, identified by the prefix Res, were transferred to the prefix Ncr.

All filings prior to Document #14287, effective 6-25-25 can be found in the filing history for the Res 7800 rules.

CHAPTER Ncr 780 ADMINISTRATIVE FINES PERTAINING TO VIOLATIONS OF RECREATIONAL USE RULES

Statutory Authority: RSA 12-A:2-c, I, II, III and IV; RSA 215-A:3-b, I; RSA 215-C:3-a, I; and RSA 227-G:4, V.

PART Ncr 781 FINES RELATING TO ALL PARKS AND DEPARTMENT PROPERTIES

Ncr 781.01 Statement of Purpose. The purpose of these rules is to provide direction from the commissioner of the department for the determination of appropriate administrative fine amounts for various violations under Ncr 730, Ncr 740, Ncr 750, and Ncr 850. It is also to ensure, to the fullest extent practicable, that generally comparable administrative fine amounts will be assessed throughout the department properties.

Source. #14059 EMERGENCY, EXPIRED: 2-15-25

New. #14287, eff 6-25-25, EXPIRES: 6-25-35

PART Ncr 782 ADMINISTRATIVE FINES

Ncr 782.01 Applicability. The provisions of Ncr 782 shall apply to all department of natural and cultural resources (department) properties, and subsequent properties and easements upon acquisition, and to all listed conservation or trail easement properties held by the department to the extent that these provisions apply to the rights granted to the state or the restrictions placed on the property.

Source. #14059 EMERGENCY, EXPIRED: 2-15-25

New. #14287, eff 6-25-25, EXPIRES: 6-25-35

Ncr 782.02 Enforcement.

(a) Infractions committed under Ncr 730, Ncr 740, Ncr 750, or Ncr 850 shall be reported by authorized department enforcement personnel as described in Ncr 782.03.

(b) For the purposes of this part, “authorized department enforcement personnel” means:

- (1) The department commissioner;
- (2) For the division of forests and lands:
 - a. The director of forests and lands;
 - b. The bureau administrators or chiefs;
 - c. The forest regional and district supervisors;
 - d. The forest supervisors, including equipment operator supervisors;
 - e. The forest managers;

- f. The forest rangers; and
 - g. The forest patrol or forester;
- (3) For the division of parks and recreation:
- a. The director of parks and recreation;
 - b. The deputy director or chief of staff;
 - c. The bureau administrators or chiefs and deputies;
 - d. The park or trails regional and district supervisors;
 - e. The park or trails supervisors, including equipment operator supervisors;
 - f. The park managers;
 - g. The ski patrol and ski lift attendants;
 - h. The state park patrol staff responsible for parking meter enforcement;
 - i. The state park mountain patrol;
 - j. The Hampton Beach state park lifeguards authorized to make decisions on behalf of the department; and
- (4) State police; and
- (5) For authorized municipalities acting under written agreement executed by the department commissioner pursuant to RSA 12-A:1-d, II, the municipal police and emergency department staff, as identified, and only upon those department properties identified in the agreement.

Source. #14059 EMERGENCY, EXPIRED: 2-15-25

New. #14287, eff 6-25-25, EXPIRES: 6-25-35

Ncr 782.03 Methods of Reporting.

- (a) Any person who is charged with committing a violation of any rule or statute cited in Ncr 782.04 shall be issued an official notice. Such notice shall constitute notice of the violation.
- (b) Each notice shall contain the following:
- (1) The person's name, company name, if applicable, address, and date of birth;
 - (2) A description of the alleged violation;
 - (3) The statute or rule allegedly violated;
 - (4) The date and time of the alleged violation;
 - (5) The location of the alleged violation;
 - (6) An indication of the administrative fine amount for such violation;
 - (7) Notice of a right to an administrative hearing as authorized by RSA 541-A:31;

(8) Indication that the official notice was served in hand by the authorized department enforcement personnel;

(9) The signature and badge number, if applicable, of the authorized department enforcement personnel; and

(10) An appropriate space for the person to either admit or deny the substance of the violation.

(c) Any person who is disciplined by a written warning shall not be subject to administrative action or fine, provided that the person shall take the appropriate action to remedy the violation(s) which prompted the issuance of the written warning. All written warnings shall be reported to the director in the form of a remedial-action report.

(d) Each written warning shall contain the following:

(1) The person's name, company name, if applicable, address, and date of birth;

(2) A description of the alleged violation;

(3) The statute or rule allegedly violated;

(4) The date and time of the alleged violation;

(5) The location of the alleged violation;

(6) A description of the required action for remedy;

(7) Indication that the official notice was served in hand by the authorized department enforcement personnel; and

(8) The signature and badge number, if applicable, of the authorized department enforcement personnel.

(e) Any person who has been charged with a violation shall answer the notice in person or by mail within 20 days of the date of the issuance of an official notice and shall provide the director of forests and lands or the director of parks and recreation, as appropriate, with an administrative plea to the charges. However, no answer shall be required in the case of an issuance of a written warning. Pleas shall be limited to consent or objection. Consent pleas shall include full payment of any fine due, in accordance with Ncr 782.05.

(f) The department shall hold an adjudicative hearing in accordance with the provisions of Ncr 200 for any person who enters an administrative plea of objection to the charges.

Source. #14059 EMERGENCY, EXPIRED: 2-15-25

New. #14287, eff 6-25-25, EXPIRES: 6-25-35

Ncr 782.04 Administrative Fine Amounts.

(a) The Tier 1 administrative fine amounts shall be \$25 for the first offense, \$50 for a second offense, \$100 for a third offense, and \$250 for each subsequent offense for violation of the following rules as indicated in Table 782-1 below:

Table 782-1 Administrative Rules with Tier 1 Fines

RULE	SUBJECT
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Ncr 731.08	relative to animals, except for: (1) Violations occurring at seacoast beaches, which shall be charged under Tier 2 (2) Violations occurring at Monadnock state park, which shall be charged under Tier 3 (4) Violations occurring at Ossipee Lake natural area, which shall be charged under Tier 3
Ncr 731.09	relative to equine and other animals used for utility
Ncr 731.12	relative to games
Ncr 731.13	relative to soliciting
Ncr 731.15(b),(d)	relative to littering and sanitation, littering only, except for: (1) Littering occurring at seacoast beaches, which shall be charged under Tier 2
Ncr 731.16	relative to motor vehicles
Ncr 731.17	relative to boats
Ncr 731.18	relative to permitted use on trails
Ncr 731.19	relative to metal detectors
Ncr 731.20	relative to digging
Ncr 731.21	relative to mineral collecting
Ncr 731.26	relative to geocaching and letterboxing
Ncr 731.27	relative to lost and found items
Ncr 731.28	relative to feeding of wildlife
Ncr 731.29	relative to smoking
Ncr 731.32	relative to bicycle use
Ncr 732.02	relative to camping
Ncr 732.03	relative to camping permits
Ncr 732.04	relative to campers
Ncr 733.02	relative to waterfront parks: swimming
Ncr 733.03	relative to waterfront parks: glass
Ncr 733.04	relative to waterfront parks: beach fires
Ncr 733.05	relative to waterfront parks: swimming and floatation equipment
Ncr 733.06	relative to waterfront parks: digging
Ncr 733.07	relative to waterfront parks: scuba diving

Ncr 733.08	relative to waterfront parks: swimming instruction and swimming programs
Ncr 733.10	relative to waterfront parks: smoking
Ncr 733.11	relative to waterfront parks: amplified audio
Ncr 733.13, except (b), (h),(j),(k)	relative to seacoast parks and beaches, excluding alcohol, surfing, and air- and watercraft
Ncr 734.02	relative to trail use limitations
Ncr 734.03	relative to ski lifts
Ncr 734.04	relative to ski equipment
Ncr 734.06	relative to alcoholic beverages
Ncr 734.07	relative to smoking
Ncr 734.08	relative to ski tickets
Ncr 735.02	relative to trail use limitations on the Franconia Notch recreational trail
Ncr 735.04	relative to limits on the Franconia Notch recreational trail
Ncr 735.05	relative to trail uses not permitted on the Franconia Notch recreational trail
Ncr 736	relative to the memorial policy
Ncr 753.01	relative to volunteer application required
Ncr 754.01	relative to project and work plans required
Ncr 755.01	relative to volunteer reporting required
Ncr 852.04 (a), (b)	relative to parking restrictions under the bureau of trails

(b) The Tier 2 administrative fine amounts shall be \$50 for the first offense, \$100 for a second offense, and \$250 for each subsequent offense for violation of the following rules as indicated in Table 782-2 below:

Table 782-2 Administrative Rules with Tier 2 Fines

RULE	SUBJECT
Ncr 731.05	relative to the protection of natural features and property
Ncr 731.08	relative to animals, violations occurring at seacoast beaches
Ncr 731.15(b),(d)	relative to littering occurring at seacoast beaches
Ncr 731.24	relative to fireworks
Ncr 731.25 (d),(e)	relative to alcoholic beverages at Pawtuckaway and historic sites
Ncr 731.31	relative to theft of services

Ncr 733.13(h),(j),(k)	relative to seacoast parks and beaches: surfing and air- or watercraft
Ncr 735.06	relative to the protection of natural habitats
Ncr 744.01	relative to group reservation required
Ncr 746.01	relative to use of department lands, facilities, and resources
Ncr 756.01	relative to use of department lands, facilities, and resources granted under part Ncr 750

(c) The Tier 3 administrative fine amounts shall be \$100 for the first offense, and \$250 for each subsequent offense, for violation of the following rules as indicated in Table 782-3 below:

Table 782-3 Administrative Rules with Tier 3 Fines

RULE	SUBJECT
Ncr 731.03	relative to obeying the authority of department personnel
Ncr 731.04(a)(1),(2)	relative to resisting or refusing eviction from the property and failing to restore damaged property
Ncr 731.06	relative to the protection of historic resources
Ncr 731.07	relative to restrictions in public use
Ncr 731.08(g)(1),(4)	relative to violations occurring at Monadnock state park and Ossipee Lake natural area
Ncr 731.10	relative to hunting
Ncr 731.11	relative to target shooting
Ncr 731.14	relative to fires
Ncr 731.15(a),(c)	relative to littering and sanitation
Ncr 731.22	relative to constructing or erecting structures and signs
Ncr 731.25(a),(b),(c)	relative to alcoholic beverages at seacoast beaches, state operated ski area, and inland beaches
Ncr 731.30	relative to reckless conduct on department properties
Ncr 731.33	relative to unmanned aircraft system use
Ncr 731.34	relative to use of cameras and surveillance
Ncr 732.05	relative to camping: resisting or refusing eviction from the property
Ncr 733.09	relative to waterfront parks: alcohol
Ncr 733.12	relative to waterfront parks: use of boat launch areas
Ncr 733.13(b)	relative to seacoast parks and beaches: alcohol
Ncr 734.09	relative to reckless conduct at the state operated ski area

Ncr 735.03	relative to motor vehicle use on the Franconia Notch recreational trail
Ncr 735.06	Protection of Natural Habitats: High-elevation protected wildlife habitat zones at Franconia Notch state park
Ncr 743.01	relative to special use permit required
Ncr 747.01	relative to the failure to comply with the suspension of use of department lands, facilities, and resources
Ncr 757.01	relative to suspension of use of department lands, facilities, and resources granted under chapter 750
Ncr 852.03	relative to bureau trail restrictions
Ncr 852.04(c)	relative to parking restrictions under the bureau of trails
Ncr 853.02	relative to snowmobile trail restrictions
Ncr 854.02	relative to ATV and trail bike trail restrictions

Source. #14059 EMERGENCY, EXPIRED: 2-15-25

New. #14287, eff 6-25-25, EXPIRES: 6-25-35

Ncr 782.05 Administrative Fine Payments.

(a) Any person who provides the director with an administrative plea to consent to the charge of a violation pursuant to Ncr 782.04(e), shall also pay the administrative fine, received within 20 days from the date of the notice of violation. If paying by check or money order, the fine shall be made payable to treasurer, state of New Hampshire.

(b) Administrative fine payments shall be mailed or hand-delivered to:

Department of Natural and Cultural Resources
 Division of Forests and Lands or Division of Parks and Recreation (as appropriate)
 Administrative Fines
 172 Pembroke Road
 Concord, NH 03301

Source. #14059 EMERGENCY, EXPIRED: 2-15-25

New. #14287, eff 6-25-25, EXPIRES: 6-25-35

Ncr 782.06 Non-payment of Fines. Administrative fine payments not received within 20 days of the notice of violation in uncontested cases or within 20 days where a ruling has been made against the person shall be charged a non-payment fine in addition to the original fine amount as follows:

(a) After 20 days but prior to 30 days, the fine amount shall be \$25.00;

(b) After 30 days but prior to 50 days, the fine amount shall be \$50.00;

(c) After 50 days the fine amount shall be \$75.00; and

(d) After 75 days the matter shall be forwarded to state attorney general's debt recovery office pursuant to RSA 7:15-a.

Source. #14059 EMERGENCY, EXPIRED: 2-15-25

New. #14287, eff 6-25-25, EXPIRES: 6-25-35

Ncr 782.07 Previous Offenses. If a person has not committed the same offense in 7 years, the next offense shall be considered as a first offense.

Source. #14059 EMERGENCY, EXPIRED: 2-15-25

New. #14287, eff 6-25-25, EXPIRES: 6-25-35

APPENDIX

Rule	State or Federal Statute which the Rule is Intended to Implement
Ncr 731.01	RSA 12-A:2-c, II(a)
Ncr 731.02	RSA 541-A:7
Ncr 731.03	RSA 12-A:2-c, II(a)
Ncr 731.04	RSA 12-A:2-c, II(a) and III RSA 215-A:3-b, I RSA 215-C:3-a, I
Ncr 731.05	RSA 12-A:2-c, II(a)
Ncr 731.06	RSA 12-A:2-c, II(a) RSA 227-C:17, II
Ncr 731.07 through Ncr 731.09	RSA 12-A:2-c, II(a)
Ncr 731.10	RSA 12-A:2-c, II(a) RSA 207:36-a
Ncr 731.11 through Ncr 731.13	RSA 12-A:2-c, II(a)
Ncr 731.14	RSA 12-A:2-c, II(a) RSA 216-I:9, IV
Ncr 731.15	RSA 12-A:2-c, II(a)
Ncr 731.16	RSA 12-A:2-c, II(a) and (b)
Ncr 731.17 through Ncr 731.29	RSA 12-A:2-c, II(a)
Ncr 731.30	RSA 12-A:2-c, II(a) RSA 541-A:30, III
Ncr 731.31	RSA 12-A:2-c, II(a) RSA 637
Ncr 731.32 and Ncr 731.33	RSA 12-A:2-c, II(a)
Ncr 731.34	RSA 12-A:2-c, II(a)
Ncr 732.01	RSA 12-A:2-c, II(a)
Ncr 732.02 and Ncr 732.04	RSA 12-A:2-c, II(a) RSA 216-I:5
Ncr 732.05	RSA 12-A:2-c, II(a) RSA 541-A:30, II and III
Ncr 733.01 through Ncr 733.07	RSA 12-A:2-c, II(a)
Ncr 733.08 through Ncr 733.13	RSA 12-A:2-c, II(a) and (b), IV RSA 216:3, I RSA 216-A:3-g
Ncr 734.01 through Ncr 734.08	RSA 12-A:2-c, II(a)

Ncr 734.09	RSA 12-A:2-c, II(a) RSA 225-A:24, III RSA 541-A:30, III
Ncr 735.01 and Ncr 735.02	RSA 12-A:2-c, II(a)
Ncr 735.03	RSA 12-A:2-c, II(a) and (b)
Ncr 735.04 through Ncr 735.06	RSA 12-A:2-c, II(a)
Ncr 736	RSA 12-A:2-c, II(a)
Ncr 741.01 through Ncr 746.01	RSA 12-A:2-c, I and II (a) and (b); RSA 227-G:4, I
Ncr 747.01	RSA 12-A:2-c, I and II (a); RSA 541-A:30, III
Ncr 751.01 through Ncr 756.01	RSA 12-A:2-c, I and II(a) and (b); RSA 216-A:3-l, III, and RSA 227-G:4, I
Ncr 757.01	RSA 12-A:2-c, I and II(a); RSA 216-A:3-l, III, and; RSA 541-A:30, III
Ncr 781.01	RSA 12-A:2-c, I
Ncr 782.01 through Ncr 782.07	RSA 12-A:2-c, II(f) and IV; RSA 215-A:3-b, I; RSA 215-C:3-a, I; and RSA 227-G:4, V